

LAND LAW (IRELAND) ACT, 1881.

RULES, FORMS, AND SCHEDULE
OF FEES

ISSUED BY THE

IRISH LAND COMMISSION,

IN PURSUANCE OF SECTION 50 OF THE ACT.

Presented to both Houses of Parliament by Command of Her Majesty.



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LAND LAW (IRELAND) ACT, 1881.

RULES.

Wednesday, the 12th day of December, 1883.

It is this day ordered that the following general rules and orders shall from and after the 22nd December, 1883, until further order take effect, and be in force in the Land Commission in relation to all proceedings under, and in pursuance of the Land Law (Ireland) Act, 1881, or any part of any Act incorporated therewith, and that all previous rules and orders shall cease to be in force as regards all proceedings commenced or continued after said date. It is likewise ordered that such of the rules and orders as are expressly or by manifest implication applicable to proceedings in the Civil Bill Court, under the said Act or any part of any Act incorporated therewith, shall take effect and be in force in the several Civil Bill Courts in Ireland from and after the said 22nd December, 1883.

1. All rules and regulations of the late Commissioners of Church Temporalities in Ireland in force prior to the 13th day of September, 1881, pursuant to the 8th section of the Irish Church Act, 1869, shall remain and continue in force and be applicable to all proceedings which shall be necessary in relation to the administration of Church Temporalities in Ireland until further order, as fully as if the Church Temporalities Commission were in existence.

2. All rules heretofore in existence in the Civil Bill Courts, inconsistent with the following general orders, so far as proceedings under the Land Law

(Ireland) Act, 1881, hereinafter referred to as "The Act," or any part of any Act incorporated therewith are concerned, are hereby annulled, as regards all proceedings commenced or continued after the 22nd December, 1883.

DEFINITIONS.

3. In the construction of these rules the word "Court" shall mean the Court having jurisdiction in the case, *i.e.*, either the Civil Bill Court, or the Land Commission, as the case may be.

4. The word "order" shall include decree, award, ruling, and adjudication of the Court in any case.

5. The word "county" shall include county of a city, and county of a town, and a riding of a county, where such county of a city, county of a town, or riding, is appointed for Civil Bill purposes.

6. The expression "Clerk of the Peace" shall include the Clerk of the Crown and Peace.

7. The word "appeal" shall include a requisition for re-hearing before the Commissioners.

8. The expression "Secretary of the Commission" shall include every person who for the time being shall discharge the duties of the Secretary of the Irish Land Commission.

9. In the computation of time for the purpose of these rules, the word "month" shall mean calendar month, and the period of a month shall not be extended by reason of any intervening holiday, but when the time limited is a week or fortnight, such week or fortnight shall be extended by any intervening holiday or holidays except Sundays.

10. Whenever the time limited expires on a Sunday or other holiday it shall be extended to the next open day.

11. "Holiday" shall, as regards the Land Commission, mean any day on which the offices of the Land Commission shall not be open, pursuant to the rules.

12. The Offices of the Land Commission shall be open on every day in the year except Sunday, Good Friday, the Saturday before Easter, the Monday and Tuesday in Easter week, Whit Monday, Christmas Day and the three following days, and any other day as regards which the Land Commission shall notify that the Offices shall be closed.

13. The offices of the Land Commission shall be open daily from ten o'clock, A.M., till four o'clock, P.M., except on Saturdays, when they shall close at one o'clock, P.M.

14. The Court of the Land Commission shall sit in such places and for such districts as they shall from time to time notify, for the purpose of hearing appeals from the Civil Bill Courts, and of re-hearing cases tried by sub-commissions.

ASSISTANT COMMISSIONERS.

Sub-Commissions.

15. Barristers, Solicitors, and persons possessing a practical acquaintance with the value of land in Ireland, shall be competent to be appointed to the office of Assistant Commissioner.

16. The existing Assistant Commissioners shall hold office for the periods for which they were respectively appointed, and every Assistant Commissioner to be appointed after the 22nd day of December, 1883, and before the 31st of March, 1884, shall hold office until the 31st day of March, 1884, and every Assistant Commissioner subsequently appointed shall hold office for such period as shall be specified by order of the Commissioners, pursuant to the Statute, subject in all cases to the provisions of the Land Law (Ireland) Act, 1881.

17. Sub-Commissions shall ordinarily consist of three Assistant Commissioners, but may consist of a greater or less number, and with or without a Commissioner, as the Commissioners may from time to time direct.

18. Each Sub-Commission shall act by virtue of an instrument of delegation under the Seal of the

Land Commission, and shall possess the powers therein specified subject to the right of the Land Commission to revoke, alter, or modify all powers so delegated, but the Land Commission reserves to itself the power of making orders in any case so delegated.

19. The Sub-Commission shall hold its sittings in the court-houses of Quarter Sessions or Petty Sessions, or, failing these, in such places as the Sub-Commission shall find most suitable, having regard to the matters coming before them for their decision and the convenience of the parties.

20. It shall be the duty of the Sub-Commission or of one or more of its members so far as practicable to visit in person the holding in any case in which they deem that such visit may conduce to a just decision.

PROCEDURE.

21. Procedure under the Act shall not be by pleadings, but shall be by notices, as hereinafter directed. All notices and affidavits shall be on paper of foolscap size, with proper margin.

22. The Court shall have power to enlarge or abridge the time appointed by the Rules, or fixed by any order, for doing any act or taking any proceedings, upon such terms, if any, as the case may require, and any such enlargement may be applied for and ordered after the expiration of the time appointed or allowed.

23. The first notice of application to the Court seeking its decision upon any question which the Court has jurisdiction to decide under the Act, shall be termed an originating notice.

Service of
originating
notices.

24. Every originating notice shall designate the Court selected, either the Civil Bill Court or the Land Commission. It shall be first served on the opposite party, that is to say, on the landlord or tenant, or other person or persons sought to be bound by the decision of the Court, and forthwith

after such service, or the last of such services, if more than one, two copies thereof shall be served on the Clerk of the Peace, or one copy on the Land Commission, according to the Court selected.

Service of
originating
notices.

25. Whenever a notice is by these rules required to be served on the Clerk of the Peace, two copies thereof shall be so served in order to enable the duplicate to be transmitted as hereinafter directed.

26. The copy of an originating notice served on the Land Commission, and both the copies served on the Clerk of the Peace, shall be endorsed with a statement of the time and mode of service of the party or parties served, and so soon as an originating notice has been served upon the Clerk of the Peace or the Land Commission as the case may be, as well as upon the party or parties, the matter shall be deemed to be in Court as a case to be decided.

27. In the case of an originating or other notice, which by these rules should be served on the Clerk of the Peace, or on the Land Commission, as the case may be, as well as upon the opposite party, the opposite party shall be first served, and the copy or copies served on the Clerk of the Peace or the Land Commission shall bear an endorsement stating the time and mode of service of the party or parties served.

28. Service of any originating or other notice shall be effected either by personal service of a copy thereof or by leaving a copy thereof at the house or place of residence of the person intended to be served or at his office, warehouse, counting-house, shop, factory, or place of business with the wife, child, father, mother, brother, sister, or any relative of the person intended to be served or with any relative of his wife or with any servant or clerk of the person intended to be served, the person with whom such copy shall be left being of the age of sixteen years and upwards, or it may be effected by registered letter in the cases hereinafter mentioned. The original notice shall be retained by the party effecting the service.

29. Service upon a landlord may be effected by serving, in any of the modes prescribed by the foregoing Rule, his land-agent to whom the tenant's rent has been usually paid. A Company may be served by leaving a copy at the office or place of business of such company with any clerk or servant of the company of the age above mentioned. Service upon a corporation aggregate (not being a company) may be effected by delivering a copy to the Town Clerk, Clerk of the Union, Secretary, or Treasurer of such Corporation, or to the person in whose name the corporation may lawfully sue or be sued, or by leaving same at the office of such person, with his clerk or servant of the age above-mentioned.

30. Whenever in any notice served on behalf of the landlord the address in the United Kingdom of such landlord or of his agent is stated pursuant to the forms hereby settled, service of any future notice on such landlord in the same proceeding may be effected by registered letter directed to such address of the landlord or agent until a change of such address has been notified to the Court and the opposite party.

31. Whenever in any notice served by or on behalf of the tenant the Post Office from which such tenant receives his letters is stated pursuant to the forms hereby settled, service of any future notice on such tenant in the same proceeding may be effected by registered letter directed to such tenant at such Post Office. For the purpose of this and the foregoing rule as regards the address of either landlord or tenant, the word notice shall include an originating agreement and declaration.

32. The receipt of the Post Office for a registered letter proved to have been duly directed to the party intended to be served, and proved to have contained a true copy of the notice required to be served, shall be sufficient *prima facie* proof of due service on the party to whom it is directed. A letter shall be deemed to have been duly directed to the party intended to be served when it has been directed to him at the address stated by him to be his address, in a notice, or, if more than

one, the last notice served by him on the party sending the letter. The statement by a tenant in his notice of the post-office from which he receives his letters shall, for the purpose of this rule, be deemed a statement of his address until he notifies to the Court and to the opposite party a change of address. The address of either landlord or tenant stated in an originating agreement and declaration shall be deemed to be the true address until some other address is notified.

33. The Court shall have power to direct such substituted or other service, or the substitution of notice for service, or such service out of the jurisdiction as it shall under the circumstances deem just.

34. Every notice signed by a solicitor shall state the address of the office at which notices on him are to be served. In every case in which a party is represented by a solicitor, service upon such solicitor at the address so given shall be the proper mode of serving such party, and notices may either be served by being left at such address or else transmitted to such address by registered letter.

35. Notices may be served upon the Land Commission and the Clerk of the Peace respectively through the post, directed, in the former case, to the Secretary of the Land Commission, Merrion-street, Dublin, and, in the latter, to the Clerk of the Peace at his office in the county town. Documents required to be transmitted to the Land Commission or the Clerk of the Peace may be sent and directed in like manner.

36. An originating notice may be signed by, or in the name, and by the authority of landlord or tenant without a solicitor, or it may be signed by or in the name and by the authority of a solicitor for landlord or tenant.

37. Where landlord or tenant served with an originating notice desires to be represented by a solicitor, all notices served on behalf of such landlord

Solicitor.

or tenant after the appointment of such solicitor, shall be signed by or in the name and by the authority of such solicitor.

38. In no case shall the name of a solicitor be appended to a notice without his authority. Any notice served in violation of this rule may be treated by the Court as a nullity.

39. When at any stage a party not previously represented by a solicitor desires to be so, his solicitor shall serve upon the opposite party notice of his appointment, and shall transmit a copy thereof to the Clerk of the Peace or the Land Commission, as the case may be.

40. Any party shall be at liberty at any time to change his solicitor by notice served by the new solicitor on the former solicitor, and also on the opposite party, and the Clerk of the Peace or Land Commission, as the case may be. The Court shall have power, on the application of the former solicitor, to stay the proceedings until his costs are paid, or to make an order directing the client to pay such costs, or such other order in relation to the costs as the Court shall deem just.

Affidavits.

41. Any affidavits to be used in the Civil Bill Court under the Act may be sworn before a Commissioner for taking Affidavits in any Superior Court, or before any Clerk of the Peace, or any Justice of the Peace, and shall, before being used, be lodged with the Clerk of the Peace of the county in which such Civil Bill Court shall be held.

42. Whenever any affidavit or document purports to be signed by a marksman, his signature shall be witnessed by some person who shall certify by writing under his hand, that the document was duly read over to such marksman, and that he fully understood the same.

43. Any affidavit to be used before the Land Commission may be sworn before a Commissioner for taking Affidavits in any Superior Court, or before

any Justice of the Peace, and shall, before being ^{Affidavits.} used, be transmitted to the Secretary of the Land Commission, or lodged with the Sub-Commission if the case has been remitted to and is pending before a Sub-Commission, and is sworn for the purpose of being used before such Sub-Commission.

44. All affidavits shall be expressed in the first person of the deponent, and drawn up in paragraphs and numbered.

45. All affidavits, other than those for which forms are given in the schedule, shall state the deponent's occupation, quality, and place of residence, and also in the usual form his age, and also what facts or circumstances deposed to are within deponent's own knowledge, and his means of knowledge, and what facts or circumstances deposed to are known to or believed by him by reason of information derived from other sources than his own knowledge, and what such sources are.

46. Certified copies of affidavits shall, if obtained ^{Certified copies.} from the Clerk of the Peace, be certified by him, and if obtained from the Land Commission shall be certified by the Registrar or Assistant Registrar.

47. In cases before the Land Commission copies of affidavits made by the parties shall, if transmitted with the originals, be compared and certified by the Registrar or Assistant Registrar free of charge.

48. Certified copies of documents including affidavits required from the Land Commission shall be certified by an officer of the proper department. Certified copies shall (save where otherwise provided) be charged for at the rate of three half-pence per folio of seventy-two words; provided that the minimum charge shall be 3*d.* All payments for copies or certificates shall be denoted by Land Commission stamps.

49. Summonses for the attendance of witnesses ^{Subpoenas.} and production of documents before the Land Commission or any Sub-Commission shall be in Form

Subpoenas. No. 42, and shall be signed by the Registrar or Assistant Registrar of the Land Commission, or by any member of a Sub-Commission, or by the Clerk of the Peace; and in all proceedings in the Civil Bill Court under the Act such summonses shall be signed by the Clerk of the Peace.

Consolidation of proceedings. 50. When the same question is substantially raised in two or more cases for hearing before the same Court, or where it shall for any reason seem expedient to the Court, it shall be lawful for the Court by order to direct that such cases shall be heard together, or that the proceedings in any one or more of such cases may be stayed, and the Court shall have the same power of consolidating proceedings as the High Court of Justice has with respect to actions.

Intervenients. 51. The Court, on the application of any person claiming to have an interest, may make an order giving him liberty to intervene, and thereupon he shall be deemed to be a party and shall have the same rights as regards the proceedings, and shall be bound thereby in like manner as if he had been an original party.

52. The Court shall have power, in any proceedings pending before it, to direct any person appearing to have an interest, to be served with notice of the proceedings, and such person shall thereupon have the same rights as regards the proceedings as if he had been an original party, and shall if the Court so order be bound by the proceedings. A person so directed to be served shall be served with a notice which may be in Form No. 43.

53. Whenever the Civil Bill Court has cognizance of any case under the Act, the case shall not be heard until the lapse of a month after due service of the Originating Notice, unless by consent or on application the Court direct it to be heard sooner.

Duty of Clerk of

54. It shall be the duty of the Clerk of the Peace to enter every originating notice in a book, to be called the "Land Law Act Case Book," in consecu-

tive numbers, and also to transmit the duplicate notice received by him to the Secretary of the Land Commission; and every notice served on the Clerk of the Peace subsequently in the same case, shall be likewise noted in the said book under the same number, and the duplicate thereof shall be transmitted to the Secretary of the Land Commission. It shall be the duty of the Clerk of the Peace to forthwith transmit to the Secretary of the Land Commission certified copies of all orders made by the Judge of the Civil Bill Court under the Act.

Duty of Clerk of Peace.

55. The Registrar of the Land Commission shall enter an abstract of every originating notice received by the Secretary from any Clerk of the Peace in a book, to be called the "Land Law Act Case Book," according to counties and in consecutive numbers, and shall enter every subsequent notice and order in the same case, received from the Clerk of the Peace, in such book under the same number.

Duty of Registrar.

56. The Registrar of the Land Commission shall enter an abstract of every originating notice served on the Land Commission in books kept according to counties, and shall enter every subsequent notice in the same case in the proper book under the same number. When the case is ready to be heard by any Sub-Commission, the notices served in each such case shall be transmitted to the Sub-Commission, and shall be returned with the order of the Sub-Commission to the Land Commission.

57. The process servers of any county or riding, or the summons servers of any Petty Sessions district, may be employed, within their respective districts, to serve notices under the Act whether originating or otherwise, and each of them so employed shall be entitled to charge one shilling as a fee for the service or services of each notice, whether originating or otherwise, for which fee he shall be bound to serve a copy on the party or parties, and transmit by post one copy to the Land Commission, at their Office in Dublin, or two copies to the Clerk of the Peace, as the case may be, the party employing him paying the postage, if any, and he shall be further bound to endorse on the copy sent to the Land Com-

Process servers.

Process
Servers.

mission, or on both of the copies sent to the Clerk of the Peace, the time and mode of service of the party or parties served, and he shall be further bound to endorse on the original the time and mode of service as well of the parties as of the Clerk of the Peace or Land Commission.

58. It shall be also the duty of process servers and summons servers, when required, to attend in Court and prove the service and posting of notices. Where such attendance is before the Land Commission or any Sub-Commission, the process servers or summons servers may be allowed for their expenses in so attending, such sum, to be paid by such party as the Commission or Sub-Commission may direct.

Lodgment
of money
in Court.

59. Whenever money is to be paid into Court, pursuant to the Act or these Rules, such payment shall be made into the branch bank of the Bank of Ireland in the respective counties, or, if no such branch exists in the county, then into such other bank or branch bank, for transmission to the Bank of Ireland, as the Land Commission shall direct.

60. To effect such payments into Court, where the Court having jurisdiction shall be the Civil Bill Court, the person paying shall obtain a docket, signed by the Clerk of the Peace for the time being, which may be in Form No. 44, authorizing the lodgment of the sum in the bank in the name of the Clerk of the Peace for the time being, to the credit of the matter specified by number and county, and, on making such lodgment, the person making such lodgment shall deliver or transmit by registered letter to the Clerk of the Peace the bank receipt for such lodgment.

61. No money so lodged shall be drawn out without an order of the Judge of the Civil Bill Court, made on consent in writing of the parties, or, upon application of any of the parties, and notice to the others.

62. Where any lodgment shall have been so made, the amount lodged shall be paid out only on a cheque, signed by the Clerk of the Peace for the time being, and countersigned by the Judge of the Civil Bill Court.

63. To effect such payments into Court, where the Court having jurisdiction shall be the Land Commission, the person paying shall obtain a docket, signed by the Accountant of the Land Commission, which may be in Form No. 45, authorizing the lodgment of the sum in the bank in the name of the Irish Land Commission, and no money so lodged shall be drawn out without an order of the Land Commission or of a Commissioner.

Lodgment
of money
in Court.

64. When proceedings shall be commenced in the Civil Bill Court all applications to the Land Commission to transfer such proceedings from the Civil Bill Court to the Land Commission shall be made within one fortnight after the date on which the Originating Notice shall have been served on the party making the application, unless on special grounds the Court shall otherwise direct. Every application made for the purpose of transferring proceedings from the Civil Bill Court to the Court of the Land Commission shall be supported by an Affidavit that such application is not made for the purpose of delay, and the Court may upon such application impose such terms upon either party as to the Court may appear just or reasonable.

Transfer of
cases from
Civil Bill
Court to
the Land
Commission.

65. When the application for transfer is made by the landlord, the order shall (unless the Court shall otherwise direct), be upon the terms that the Judicial Rent, if fixed by the Land Commission, shall commence and run as if it had been fixed at the sitting of the Civil Bill Court at which the application to fix such rent would, but for such transfer, have been heard.

66. Notice of such application to transfer shall be given to the Clerk of the Peace, and to the opposite party, and also to the Land Commission. The Notice to transfer served on the Land Commission shall bear an endorsement stating the date and mode of service on the opposite party. It may be in Form 46. There shall be sent therewith to the Land Commission a copy of the Originating Notice which shall have indorsed thereon a statement of the date of service of the Originating Notice on the applicant.

67. Cause against making such transfer, specifying grounds by reason of which such transfer would be

Transfer of
cases from
Civil Bill
Court to
the Land
Commission.

unjust or unreasonable, may be shown within one fortnight after service of the notice of application to transfer on the person so showing cause, and may be in Form 47, and such notice of showing cause shall be served within the time limited upon the opposite party, and also upon the Land Commission in the usual way. The notice of cause served on the Land Commission shall bear an endorsement stating the date and mode of service on the opposite party.

68. If no cause is shown an order of transfer will be made as of course at the expiration of said period of one fortnight from service on the Land Commission of the notice of application to transfer, and a certified copy of such order shall be sent to the Clerk of the Peace.

69. When cause is shown, the party applying for the transfer may, if so advised, move to disallow the same. The cause shown will be allowed at the expiration of one fortnight from the date of service of the notice of cause upon the Land Commission, if no notice to disallow the cause has in the meantime been received, and a certificate shall be transmitted to the Clerk of the Peace accordingly. When cause is shown, and the party applying to transfer moves to have same disallowed, the Land Commission shall hear and determine the application, and may impose on either party such terms as to the Court may appear just and reasonable.

70. After notice of an application to transfer proceedings shall have been served on the Clerk of the Peace, the case shall not be proceeded with in said Court until the Clerk of the Peace shall have received from the Registrar of the Land Commission a notification that the application has been refused, or that the cause shown against the transfer has been allowed.

71. With every notice of application to transfer proceedings from the Civil Bill Court to the Land Commission served on the Land Commission, there shall be transmitted a certificate from the Clerk of the Peace, specifying the sitting of the Civil Bill Court

at which, if the transfer were not made, the case would be listed for trial. Such certificate may be in form 47A ; and the Clerk of the Peace shall be bound to issue such certificate on the application of the party requiring the same.

Transfer of cases from Civil Bill Court to the Land Commission.

72. The Clerk of the Peace shall within one month after receiving the same, forward to the Land Commission, a copy of every award recorded under section 25 of the "Landlord and Tenant (Ireland) Act, 1870," or section 40 of the Act.

73. Every order of the Land Commission or of any member or members thereof shall bear the signature of the Registrar or an Assistant Registrar of the Court of the Land Commission. Every order of a Sub-Commission shall be signed by the members of the Sub-Commission by whom such order was pronounced, or in the case of any member or members dying or ceasing to hold the office of Assistant Commissioner, then by the member or members surviving or continuing in such office, and such signature shall be valid notwithstanding that at the time of actual signature the person or persons so signing may no longer be a member or members of such Sub-Commission. These provisions shall apply to orders pronounced as well before, as after the coming into force of these rules. Every order of the Land Commission or of any member or members thereof or of any Sub-Commission shall bear date as of the day on which such order was actually pronounced.

Signing and dating of orders.

74. Any person aggrieved by any order of one Commissioner, or by any order of a Sub-Commission, may, within one month after the date of such order, serve, on the opposite party and the Land Commission, a notice of appeal which may be in Form No. 48. The notice served on the Land Commission must bear an endorsement of the time and mode of service on the opposite party. In all cases where an appeal is brought, either on the ground of value, or because the holding is alleged not to be one to which the Act applies, the solicitor for the appellant shall transmit to the Land Commission, at latest, before the expiration of one month from the lodgment of the Notice of Appeal, an Ordnance Survey Map, showing the boundary of the holding marked by a coloured line, and also

Appeals.

Appeals.

a certified extract from the revised valuation books of all the lands that are the subject of the appeal.

75. Any person aggrieved by the decision of any Civil Bill Court, with respect to the determination of any matter under the Act, or any part of any Act incorporated therewith, or under the Landlord and Tenant (Ireland) Act, 1870, may, within one month from the last day of the Land Sessions at which such decision shall have been made, give notice of appeal in writing to the opposite party, and shall also, within the same period, lodge two copies of such notice, with an endorsement setting forth the time and mode of service, with the Clerk of the Peace, who shall forthwith transmit one of such copies to the Land Commission, and shall certify on the copy so transmitted the date of the last day of the Land Sessions at which the decision was made. The Notice of Appeal may be on Form 48A. The time and place of hearing such appeal shall be duly notified. An appeal, either from a Sub-Commission or a Civil Bill Court, may be withdrawn by the appellant at any time before the appeal is opened in Court, upon the terms of paying the costs of the opposite party up to notice of withdrawal.

Statement
of case for
Court of
Appeal in
Ireland.

76. The statement of a case in respect of any question of law proposed to be submitted by way of appeal to Her Majesty's Court of Appeal in Ireland, shall, if made on the application of any party, be prepared by the party making such application, and, after having been submitted to the opposite party, who shall be at liberty to make such observations and alterations thereon as he shall think fit, shall be settled by the Land Commission, and shall be filed, and a certified copy thereof transmitted to the Registrar of the Court of Appeal for hearing. It shall be the duty of the party in whose favour the Court of Appeal shall have decided to cause a certified copy of the order of the Court of Appeal to be lodged with the Registrar of the Land Commission with all convenient speed.

Consents.

77. Consents on the part of the Land Commission shall be signified under their seal, and consents of any corporation shall be signified under the seal

of such corporation, and consents by individuals shall be signified in writing under their hands, or those of their agents, duly authorized in that behalf. Nothing in this rule shall, however, prevent the Court from acting, if it deem fit, upon a consent given in open Court, according to the usual practice of Courts of Justice.

78. In every case in which the Court shall award the payment of costs amounting to one pound sterling at the least, and in which a writ of *fieri facias* shall be issued to enforce payment thereof, it shall be lawful for the party taking out such writ to add to such costs the sum of five shillings as and for the costs of and incident to the taking out of such writ, and to include the same in the amount to be levied thereunder. Recovery of costs.

79. A certified copy of the order fixing the judicial rent, whether fixed by the Sub-Commission Court or the Court of Appeal on re-hearing, may be had by the landlord or tenant, on application to the Land Commission and payment of a fee of one shilling, and where the order has been made by the Civil Bill Court on application to the Clerk of the Peace and payment of a like fee. Copies of Orders fixing Fair Rents.

SALE OF TENANCIES.

80. A tenant intending to sell his tenancy shall give notice to his landlord, which may be in the Form No. 1 annexed to these rules.

81. Within one fortnight from the service of such notice the landlord, if he desire to purchase the tenancy, and if he has disagreed with the tenant in respect of such purchase, may apply to the Court to ascertain the true value of the tenancy, by notice, according to Form No. 2. Such notice shall be served upon the tenant and upon the Clerk of the Peace of the county, or the Land Commission according to the Court chosen.

82. In default of the landlord either agreeing with the tenant to purchase or applying to the Court within the above time, the tenant may at the expiration of the said period of one fortnight, or with the written consent of the landlord, may, before such

Sale of tenancies.

expiration, sell his tenancy pursuant to the Act, and shall thereupon give notice to the landlord of the name of the purchaser, and of the consideration agreed to be given for the tenancy. Such notice may be according to Form No. 3.

83. An application by the landlord to the Court to declare the sale to be void under section 1, sub-section 5 of the Act, shall be made to the Court within one fortnight after the sale shall have come to the landlord's knowledge, and such application may be in the Form No. 4.

84. When the landlord intends to refuse to accept the purchaser as tenant on alleged reasonable grounds, he shall, within one fortnight after receiving the notice of the name of the purchaser, serve a notice on the tenant which may be in the Form No. 5.

85. If the tenant dispute the reasonableness of the landlord's refusal, he shall, within one fortnight after receiving the landlord's Notice No. 5, serve upon the landlord, and also upon the Clerk of the Peace of the county, or the Land Commission, as the case may be, an originating notice which may be in the Form No. 6, and shall therewith send to the Clerk of the Peace, or the Land Commission, the landlord's Notice refusing to accept the purchaser, or a copy thereof.

86. In case the landlord object to the purchaser and assert that his objection is conclusive, by reason of such permanent improvements as are mentioned in section 1, sub-section 6, of the Act, having been made and substantially maintained by him or his predecessors in title, and not by the tenant or his predecessors in title, he shall within one fortnight after having received notice of the name of the purchaser, give notice to the tenant which may be in Form No. 7.

87. If the tenant dispute the fact of such improvements having been made and substantially maintained by the landlord and his predecessors in title, he shall, within one fortnight after having received the Notice No. 7, give notice to his landlord and to

the Clerk of the Peace of the county, or the Land Commission, which notice may be in Form No. 8, and he shall therewith transmit to the Clerk of the Peace or the Land Commission the landlord's Notice No. 7, or a copy thereof.

Sale of tenancies.

88. Where the landlord, on the application of the tenant, consents that his property in improvements shall be sold along with the tenancy, pursuant to section 1, sub-section 8, of the Act, such consent may be in Form No. 9.

89. Where the landlord's property in improvements is so sold accordingly, the landlord and tenant jointly, or either separately, shall, within three weeks after the sale, serve an originating notice on the Clerk of the Peace of the county, or the Land Commission, as the case may be, which may be in Form No. 10. If the application be not made jointly the party applying shall within one fortnight after the sale also serve the originating notice on the opposite party.

90. A landlord making a claim in respect of arrears of rent or other breaches of the contract or conditions of tenancy, shall give notice to the outgoing tenant and to the purchaser which may be in Form No. 11. Such notice shall be given within one fortnight after the landlord receives notice of the name of the purchaser, if the landlord does not object to the purchaser; or, in case the landlord does object to the purchaser, then within one fortnight after such objection shall have been adjudicated upon or withdrawn.

91. If the outgoing tenant does not, within one fortnight after receiving Notice No. 11, give notice to the purchaser that he disputes the landlord's claim, or any part thereof, the purchaser shall, on the expiration of such period of one fortnight, pay to the landlord, out of the purchase-money, the amount of such claim.

92. If the outgoing tenant dispute such claims, or any of them, he shall, within the said period of one fortnight after receiving Notice No. 11, give notice to the landlord and to the purchaser which may

Sale of tenancies.

be in Form No. 12, specifying the amount which he admits and the amount which he disputes, and the purchaser shall thereupon forthwith pay to the landlord the amount admitted, if any, and shall pay the residue into Court in the manner by these rules provided, to be dealt with as provided by section 1, subsection 10 of the Act.

93. Where a sale of a tenancy is about to take place under a writ of execution by any execution creditor other than the landlord, such execution creditor shall, at least one fortnight before the day of sale, give notice to the landlord of his intention to sell. Such notice may be in Form No. 13, varied according as the landlord is or is not the person serving the notice.

94. Thereupon it shall be competent for the landlord, within the said period of a fortnight, if he desire to purchase the tenancy, to serve an originating notice of application to the Court to ascertain the true value thereof, which notice may be in Form No. 14, and shall be served on the tenant, the sheriff, the execution creditor, and also on the Clerk of the Peace, or the Land Commission as the case may be, and the sale by the Sheriff shall be suspended pending such application.

95. In case the landlord does not serve the notice prescribed by the preceding rule within the time aforesaid, the sheriff may proceed to sell according to the exigency of the writ lodged with him.

96. Where the landlord is himself the execution creditor, and is desirous to purchase the tenancy, otherwise than at the Sheriff's sale, he shall serve an originating notice on the tenant, to ascertain the true value of the tenancy within one fortnight after the lodgment of the writ with the sheriff, which may be in Form No. 15, and within the same period shall give the sheriff notice of such application.

97. The amount of the true value when declared by the Court, less by any sum ordered to be paid thereout for costs, or otherwise, shall be paid by the landlord to the sheriff as purchase-money, to be dealt with by him as if the same were obtained at

public sale, provided that if the landlord would have been entitled in that capacity to receive all or portion of the purchase-money if the sale had been made by the sheriff in the ordinary way, he shall be entitled to retain the whole or portion of the value ascertained by the Court as the case may be ; and in case of dispute the amount so to be retained shall be settled by the Court. In such case, and in every other case in which a question arises with respect to rights to money, which the Court has power to decide, any party may pay money into Court to be dealt with according to the rights of the parties.

Sale of tenancies.

98. When the sale takes place by the personal representative of a deceased tenant, he shall give notice to the landlord of the intention to sell, which notice may be in Form No. 16, stating therein that he gives the notice in his capacity of personal representative ; and if the landlord desires to purchase he may, within one fortnight after receipt of such notice, serve an originating notice of application to the Court to purchase the tenancy, which may be according to Form No. 2, with the necessary changes, and the future proceedings shall be carried out in the same manner as in the case of a tenant himself selling

99. Where the sale takes place by the assignees in bankruptcy of the tenant, or by a person having carriage of sale of the tenancy under the order of any Court, the assignees, or the person having carriage of the sale, shall give notice to the landlord of the intended sale, which notice may be in Form No. 17, and thereupon the landlord shall, within one fortnight from receipt of the notice, if he desire to purchase the tenancy, serve an originating notice of application to the Court to ascertain the true value thereof, which notice may be in Form No. 14, and shall be served on the tenant, the person selling, and the Clerk of the Peace or Land Commission, as the case may be.

100. It shall be lawful for the Court, on application, (if it deem that justice so requires), to name a person by and on whom, in place of the tenant or landlord, notices may be served respecting the sale of a tenancy.

101. When the landlord does not himself purchase the tenancy, his notice of objection to the purchaser may be in Form No. 5 or No. 7, as the case may be, and shall be served on the tenant or his personal representative, or on the assignee in bankruptcy of the tenant, the person having carriage of the sale, or execution creditor, as the case may be.

102. Notice pursuant to section 1, sub-section 16, of the sum claimed to be due to the landlord for arrears of rent, or on account of breaches of the contract or conditions, may be given in Form No. 18 by the landlord to the tenant within one fortnight after receiving notice from the tenant of the intended sale of the tenancy, and if the tenant dispute the amount so claimed, and determine to proceed with the sale, he shall serve an originating notice of application to the Court, which may be in Form No. 19; and if no purchaser be found within three months after the service of the landlord's notice, No. 18, to give the same or a greater sum, the landlord may serve an originating notice applying to the Court to be adjudged the purchaser of the tenancy at the sum so claimed by him, which application may be in Form No. 20.

103. Notice served on the landlord nominating a person to succeed to the tenancy, pursuant to section 3 of the Act, may be in Form No. 21. Notice of the bequest of a tenancy to one person only and of the assent of the personal representative to such bequest may be in Form No. 21A. If the landlord in either case object to accept such person as tenant on such grounds as would have entitled him to object in the case of a sale of the tenancy, he shall give to the personal representative of the deceased tenant or to the legatee, as the case may be, a notice, which may be in Form No. 22, or in Form No. 23, as the case may require. If the landlord's grounds of refusal are disputed, the personal representative may serve an originating notice seeking the decision of the Court, which notice may be according to Form No. 6 or No. 8, as the case may be, with the necessary changes.

104. If the landlord require a sale to be made under section 3, he shall give to the personal repre-

sentative of the deceased tenant notice, which may be in Form No. 24, and if the personal representative fail to sell the same, pursuant to the statute, the landlord may serve an originating notice applying to the Court which may be in Form No. 25, and thereupon the Court may direct the landlord to proceed to sell the tenancy by auction, in such manner and with such conditions as it may think fit, and may direct all proper persons to concur in the assignment to the purchaser, and the purchase-money shall be brought into Court to abide such order as the Court shall think fit to make regarding it.

*Sale of ten-
ancies.*

105. An application by the landlord to the Court for resumption of the holding, or part thereof, pursuant to section 5, or to section 8, sub-section 3, of the Act, shall be by originating notice which may be in Form No. 26.

FAIR RENT.

106. An application to the Court to fix a fair rent may be made by originating notice in Form No. 27 or No. 28 as the case may be, and, unless where such application is made by the landlord and tenant jointly, a copy shall be served upon the opposite party.

107. An application to fix a fair rent shall not be withdrawn save by leave of the Court, given on consent, which may be in Form No. 28A, or on due notice to the opposite party.

108. Where an originating notice to fix a fair rent shall be served by a tenant in case of a holding of which the Poor Law Valuation shall not be under £10, such originating notice shall state, in a schedule endorsed, the particulars of any improvements in respect of which evidence is intended to be produced or which are intended to be relied on by the tenant, as having been made by him or his predecessors in title, with the dates at which the same were made according to the best of the tenant's knowledge or belief. The Court may, on special grounds, make an order that particulars shall be given when the valuation is under £10, or shall be given by either landlord or tenant in any other case not provided for by any rule of Court.

*Schedule of
improvements.*

Maps.

109. Where an originating notice to fix a fair rent has been served in case of a holding of which the Poor Law Valuation shall not be under £30, it shall be the duty of the party or parties serving it to lodge with the Registrar of the Sub-Commission Court or with the Clerk of the Peace, at or before the hearing, an Ordnance Survey Map, showing the boundary of the holding, marked by a coloured line, and, in case of a holding valued under £30, either party may, if he so desire, lodge such map as aforesaid, at or before the hearing.

110. If a map be lodged in pursuance of the last preceding rule, then, if the Court is satisfied that the boundaries have been correctly delineated, the map, after having been authenticated by the signature of the County Court Judge or the Legal Assistant Commissioner, may be filed as a record with the file of the proceedings in the case.

111. When the landlord intends to submit to the Court that the tenant's application to fix a fair rent should be disallowed on the grounds mentioned in section 8, sub-section 4, he may serve notice in Form No. 29.

Specified
value.

112. When either landlord or tenant makes application to the Court to fix a specified value of the tenancy on the occasion of any application to fix a judicial rent, he shall, one week at least before the application to fix a judicial rent is heard, serve notice on the opposite party, and also on the Clerk of the Peace or Land Commission, as the case may be, which notice may be in Form No. 30, and a certified copy of the Order made on such application to fix a specified value may be obtained by the landlord or tenant, on application to the Land Commission on payment of a fee of one shilling, when the order has been made by the Land Commission, and to the Clerk of the Peace, when the Order has been made by the Civil Bill Court, on payment of a like fee.

113. Wherever a specified value for the tenancy has been fixed, and the landlord, having received notice of the tenant's intention to sell, claims to purchase the tenancy, but there is a disagreement between the landlord and the tenant as to the amount to

be paid for such tenancy, having regard to the provisions of section 8, sub-section 5 of the Act, either party may make application to the Court to ascertain the amount of the purchase-money under the said sub-section, and the said application may be in Form No. 31, or Form No. 32, as the case may be. Specified value.

114. Either party may demand from the other before the hearing of such application, as mentioned in the last foregoing order, and, if necessary, may apply to the Court for particulars of the case intended to be made, either as to increase of value by means of improvements or diminution of value by dilapidation of buildings or deterioration of soil.

115. Where the landlord and tenant of a present tenancy agree what is the then fair rent of the holding, pursuant to section 8, sub-section 6, or section 20, sub-section 2, they may enter into an agreement and declaration which may be in Form No. 33, and the tenant's signature thereto shall be witnessed by a Clergyman, by a Solicitor, by a Commissioner for taking Affidavits, by a Justice of the Peace, or by a Poor Law Guardian, but the witness must not in any case be a person in the employment of the landlord. Agreements as to Fair Rents.

116. The declaration and agreement aforesaid shall, within one month after the date thereof, be lodged with the Clerk of the Peace of the county, or with the Land Commission as the case may be, and the Clerk of the Peace or Land Commission shall file the same at the expiration of three months from the lodgment thereof, if no notice of objection to the filing thereof shall have been in the meantime received; or it may be filed at such other time as the Court shall direct: and on the same being filed the Civil Bill Court or the Land Commission shall give to the landlord and tenant respectively, a certificate in Form No. 34, on payment of a fee of One Shilling for each.

117. Where the declaration and agreement is lodged with the Clerk of the Peace a copy thereof shall be also lodged with him, which it shall be his duty forthwith to transmit to the Land Commission.

118. The Land Commission may direct periodical notices of the lodgment of all declarations and agreements, whether with the Clerk of the Peace or with the Land Commission, to be published in such newspapers as it shall think fit.

119. It shall be lawful for either landlord or tenant, or any incumbrancer or other person having an interest, within three months from the lodgment of any such declaration and agreement, to serve notice on the Clerk of the Peace or the Land Commission, as the case may be, and also on the parties or opposite party of an application that the said declaration and agreement be not filed on the ground of fraud or surprise, or some other sufficient ground stated in such notice, and supported by affidavit, and thereupon the said declaration and agreement shall not be filed without the order of the Court, and either party may apply on notice for such order.

FIXING FAIR RENT BY VALUERS APPOINTED BY THE LAND COMMISSION.

120. The landlord and tenant of a holding desirous of having the fair rent of the holding determined by a valuer or valuers, to be named by the Land Commission for the purpose, may serve upon the Court an originating notice in form No. 73, applying to have a fair rent fixed, and consenting that such fair rent shall be determined pursuant to the report of a valuer or valuers appointed by the Land Commission. The Land Commission may thereupon appoint a valuer or valuers, and make an order fixing the fair rent pursuant to the report, unless cause be shown as in next rule. The originating notice, served as above, must be accompanied by the sheet of the Ordnance Map showing the holding.

121. The substance of the conditional order shall be notified by the Land Commission to both parties. Cause against the conditional order being made absolute shall be shown by notice of motion, which shall be served on the opposite party and on the Land Commission, not later than ten days after the notification by the Commission of the substance of

the conditional order. Such notice, showing cause, ^{Fixing Fair Rent by valuer} may be supported by affidavits, and it shall specify—1st, The grounds on which the conditional order should not be made absolute; and 2nd, The order which the party showing cause asks the court to make. The court on hearing such motion, may if it be of opinion that the conditional order should not be made absolute, remit the case to the same valuers or send it to be reported on by other valuers, or may send the case down to be heard before the Sub-Commission in the usual course, or may make such other order as, under the circumstances, it may deem right.

122. In cases where an originating notice by a landlord or tenant to fix a fair rent has already been served, it shall be competent for the landlord and tenant, by consent, which may be in Form 74, to agree that instead of the case being heard in the ordinary way the fair rent may be determined by a valuer or valuers in the same manner, and with the same right of showing cause as in the preceding rules.

ARBITRATION.*

123. The reference of any dispute under "The Land Law (Ireland) Act 1881," to an Arbitration Court, and the appointment of the arbitrator or the arbitrators and umpire may be in the Form No. 77, and be signed by both parties; and such reference, with the nomination of the arbitrator or arbitrators and umpire, shall be lodged with the Clerk of the Peace or with the Land Commission, as the case may be, before the first sitting of the Arbitration Court thereunder, but the Court may, on special grounds, dispense with this requirement.

124. The Clerk of the Peace or the Registrar of the Land Commission shall forthwith, on receipt of such reference and nominations, and on being satisfied by affidavit or statutory declaration as to the signatures

* The attention of parties is called to the 25th section of the Landlord and Tenant (Ireland) Act, 1870, and to the Schedule of Rules in respect of Arbitration annexed to that Act, which are in force, and must be observed as regards proceedings under the Land Law (Ireland) Act, 1881.

Arbitration. thereto, enter the same, the former in the Land Law Act Case Book, and the latter in a book to be kept by him for the purpose; and thereupon any application or report in the matter of such arbitration may be entertained by the Court, and such order may be made thereon as the Court may think right.

125. Where either party desires the award of the Court of Arbitration to be recorded in the Civil Bill Court, he shall, ten days before the first day of the land session next ensuing the making of such award (if sufficient interval shall exist, and if not, then before the next following session), serve notice on the opposite party of his intention to apply to the Court for such purpose, which application shall be heard, in regular course, according to the practice of the Court; and when he desires it to be recorded by the Land Commission he may serve notice for that purpose on the opposite party and the Land Commission.

126. On the hearing of such application, the Court may, if it shall think fit, and if such award substantially decides the dispute referred, order the same to be recorded; and the award shall thereupon be duly recorded by the Clerk of the Peace in the Land Law Act Case Book, or by the Registrar of the Land Commission.

JUDICIAL LEASES.

127. When the landlord and tenant agree to a judicial lease pursuant to section 10, the landlord shall cause a draft of such lease to be prepared, containing such provisions as may have been agreed on between the parties. Such draft shall be transmitted either to the Clerk of the Peace, or to the Secretary of the Land Commission according to the Court selected, together with an originating notice of application which may be in Form No. 35, containing the particulars therein mentioned. And notice of such application, which may be in Form No. 36, shall be served upon the tenant, and also upon the mortgagees of the interests of the landlord

and tenant respectively, and on such other incumbrancers, and such trustees, persons in remainder, and other persons as the landlord shall deem expedient having regard to the state of his title, and the Court may at any time direct such verification of the particulars, and such further inquiries to be made, notices to be served, documents to be furnished, and advertisements to be published, as it shall deem fit.

Judicial leases.

128. Where the draft lease is approved of by the Court, such approval shall be signified by an endorsement on the draft signed by the County Court Judge, or a Commissioner, as the case may be, and the lease shall be engrossed in duplicate from such draft, and when executed by the parties shall also be signed by the County Court Judge or sealed with the seal of the Commission, as the case may be.

FIXED TENANCIES.

129. Where the landlord and the tenant agree that the tenancy shall become a fixed tenancy, such agreement shall be embodied in writing, which may be in Form No. 37, and attested as to the tenant's signature in manner prescribed by rule No. 115, and the same shall be transmitted to the Clerk of the Peace or the Land Commission, according to the Court selected, together with an originating notice of application which shall contain a copy of the agreement, and may be in Form No. 37A, and shall also contain the particulars therein mentioned. And notice of such application shall be given, and the further proceedings therein shall be as in the case of the proceedings upon applications to the Court to sanction judicial leases. Where the agreement is sanctioned by the Court, such sanction shall be signified by an endorsement on the originating notice signed by the County Court Judge or a Commissioner, as the case may be, and the original agreement if sanctioned shall be signed by the County Court Judge or sealed with the seal of the Commissioners, as the case may be, and handed to the landlord serving the originating notice, and a certified copy shall be issued on application to either party on payment of the fee of one shilling.

RULES RELATING TO PART IV. OF THE ACT.

Application to
restrain pro-
ceedings during
statutory term.

130. Any application to the Land Commission under section 13, sub-section 4, of the Act may be by originating notice in Form No. 38, and shall be based on affidavit of the tenant setting forth the grounds of such application. Notice of the application shall be served upon the landlord and on the Land Commission at least a week before the hearing of such application, and the landlord and tenant respectively may give evidence of the facts by affidavit or otherwise as they think fit, and if by affidavit, the last of such affidavits shall be filed at least two days before the hearing.

Application to
sub-let for use
of labourers.

131. The originating notice of application by a tenant to let portion of a holding for the use of labourers shall state whether the situation has or has not been approved of by the landlord, and shall also state whether the portion is proposed to be let with or without dwelling-houses, and upon what terms as to rent the letting is proposed to be made, and the contents, as accurately as possible, of the portion proposed to be let, and also the number of acres of tillage land in the entire holding; such application may be in Form No. 39, and a copy of such notice shall be served upon the landlord at least one week before the hearing.

Application to
resume posses-
sion.

132. The originating notice of application by a landlord to resume the holding pursuant to section 21 of the Act, may be in Form No. 40, and shall be served on the tenant of the holding, either during the last three months of the lease or other contract of tenancy, or within three months after the termination of such lease or other contract of tenancy.

133. The evidence given upon any application, to have a lease declared void under section 21 of the Act, shall be given *visa voce*, unless the Court shall otherwise direct.

134. Application for leave to appeal, under section 21 of the Act, shall be made within one month after the date of the order sought to be appealed from.

PART V.

Acquisition of
Lands by
Tenants.*Acquisition of Lands by Tenants.*

135. Where an application is made for an advance under section 24 of the Act, to enable a tenant to purchase his holding, either in consideration of a principal sum or of a fine and fee-farm rent, such application may be made in Form No. 50, signed by the landlord or his authorized agent, and by the tenant, and shall contain the particulars, and be verified, as therein mentioned.

136. Every application under sections 24, 26, or 29, of the Act shall be accompanied by the sheet of the Ordnance 6-inch map, distinguishing thereon the holding or holdings of the tenant or tenants in respect of whose holding or holdings application is made.

137. If it shall appear to the Commission necessary to make a survey or a preliminary inquiry in respect of any application, they may before entertaining it require the applicant to lodge such sum as they may consider sufficient to cover the reasonable expenses of such survey or inquiry.

138. When either landlord or tenant desires the sale to be negotiated and completed through the medium of the Land Commission, an application for that purpose may be in the Form No. 52; and the Land Commission may entertain the application, provided the landlord undertake to pay for the expenses of such negotiation and completion by percentage on the purchase-money, according to the scale hereinafter mentioned.

The following shall be the scale until the same be altered by order.

£ s. d.

For the expenses of negotiation, up to and including signing of contract,	0	10	0	per £100.
For subsequent expenses, including (if contract be completed) conveyance from landlord to tenant, mortgage to Commissioners, Registration and Stamp duty.				"
When the purchase money does not exceed £500,	£2	per	£100.	
" " is over £500, but does not exceed £1,000,	£1	10s.	per	£100.
" " is over £1,000, but does not exceed £5,000,	£1	per	£100.	

139. On receiving any such application as mentioned in the last preceding rule, the Land Commissioners shall take such steps for negotiating and completing the sale either by sending an officer to communicate orally with the landlord and tenants respectively, or by written communication or otherwise, as may in each case seem advisable.

140. In every case of sale by a landlord to a tenant, including cases coming within Rule 130, the vendor shall furnish to the Land Commission a statement of his title, and the Land Commission may require such rentals, accounts, and other documents to be furnished and verified as they may think fit. Where the sale does not come within s. 24 (2) of the Act, the landlord shall undertake to pay the Land Commission all outlay incurred by them in relation to the sale and advance, or shall lodge such amount as the Land Commission may estimate as the reasonable expenses in connexion therewith.

141. Where a landlord desires to sell his estate, and contemplates the purchase thereof by the Land Commission for the purpose of re-sale to the tenants, he may make application to the Land Commission in Form No. 53, and thereupon the Land Commission may negotiate with the landlord with respect to the price at which he will be willing to sell, and may require the landlord to sign a proposal which may be in Form No. 54, containing an undertaking to pay for the expenses of the sale by him to the Commissioners, according to the following scale :—

For the expenses up to and including notice by the Commission to the landlord of their being willing to purchase,	£	s.	d.
	0	10	0 per £100.
Together with the subsequent expenses—that is to say, the actual outlay by the Commission in completing the sale.			

142. Upon such proposal being signed, the Commission shall satisfy themselves that a competent number of the tenants are able and willing to purchase their holdings, and shall obtain from a competent number of the tenants, an undertaking to purchase

their holdings which may be in Form No. 55. The Commission will estimate the entire expense of carrying out the sale by them to the tenants, and shall have regard to such estimate in settling the prices at which the respective tenants are to purchase their holdings. The Acquisition of Lands by Tenants.

143. In special cases the Commission may, with the assent of the Treasury, reduce the amount to be paid either under Rule 138, or Rule 141, below the scale therein mentioned.

144. The Land Commission on being satisfied that the purchase is one authorized by the Act, and is desirable, shall notify same to the landlord, and may require the landlord to furnish his abstract of title, which shall be investigated in the usual way on behalf of the Commission.

145. Upon the title being approved of, the tenants shall be called upon to lodge the one-fourth of the purchase-money, or one-half of the fines, as the case may be, and the Commission shall not be deemed bound as having contracted to purchase from the landlord, or to sell to the tenants, until such amounts shall have been lodged, and by such number of tenants as are required by the Act. Thereupon the purchase from the landlord shall be completed, and the Commission shall execute to each tenant who has proposed to pay the whole price of his holding, and who has made the due lodgment, a conveyance of his holding, and shall execute to each tenant who has proposed to purchase in consideration of a fine and a fee-farm rent, and who has made the due lodgment, a fee-farm grant of his holding.

146. Where a competent number of tenants, on any estate, desire the Land Commission to purchase the estate for re-sale to them, they shall lodge with the Land Commission an undertaking on Form 55, specifying what sums they are prepared to pay in cash, and they shall lodge such sum as the Land Commission may require, to cover the expenses of negotiation, survey, and valuation, and if the sale be

effected such sum shall be deemed part of the purchase money.

147. When an application asking the Land Commission to purchase an estate, shall have been lodged, the Land Commission shall on being satisfied that the purchase is an expedient one endeavour to negotiate the purchase of the estate, and shall require the tenants to lodge their cash proportion of the purchase-money, and the landlord to lodge his title for investigation in the usual manner.

148. The Commission shall not be deemed to have contracted to purchase from the landlord, or to sell to the tenants until the due amounts shall have been lodged by such number of tenants as are required by the Act. Thereupon the purchase from the landlord or other vendors shall be completed, and the Commission shall execute to each tenant who has proposed to pay the whole price of his holding, and who has made the due lodgment, a conveyance of his holding, and shall execute to each tenant who has proposed to purchase in consideration of a fine and a fee-farm rent, and who has made the due lodgment, a fee-farm grant of his holding.

149. Where a tenant intends to bid for or to purchase a holding on an estate for sale in the Court of the Land Judges of the High Court of Justice, and requires an advance for the purpose, he shall apply on Form 58, and shall accompany his application by a copy of the rental of the estate, or of the Consolidated Final Notice to tenants, and the Land Commission may sanction an advance conditionally upon the tenant being declared purchaser of his holding.

Emigration.

150. Where any application for the purposes of assisting emigration is made to the Commission, under section 32 of the Act, full particulars shall be given, as to the security proposed for repayment of such advances, and in case of the application being

made on behalf of any public body or public company, ^{Emigration.} the constitution of such public body or public company shall be clearly stated, and copies of the Act of Parliament, charter, memorandum of association, and articles of association regulating the same, shall accompany the application.

151. The application shall likewise state the mode in which it is intended to apply the loan, and the provisions for securing the satisfactory shipment, transport, and reception of the emigrants. The Commission may direct such further information to be furnished, and such inquiries to be made as they may deem advisable.



JOHN O'HAGAN.

E. F. LITTON.

JOHN. E. VERNON

MONCK.

SCHEDULE OF FORMS.

FORM NO. 1.

LAND LAW (IRELAND) ACT, 1881.

* PARTICULARS—(The following particulars must be accurately filled up).

Name of Landlord, and Residence of { _____
Landlord if known, . . . { _____

Name and Residence of Landlord's { _____
Agent, if any, . . . { _____

Name and Residence of Tenant, . { _____

Post Office from which Tenant re- { _____
ceives his Letters, . . . { _____

HOLDING—

County.			Poor Law Union.			Electoral Division.		
* Name by which Lands are known } on Ordnance Survey Map, }								
Area in Statute Measure.			Rent of Holding.			Gross Poor Law Valuation.		
A.	R.	P.	£	s.	d.	£	s.	d.

* This can be ascertained by reference to the Poor Rate Receipts, or from the Clerk of the Union

Notice of intention to sell Tenancy.

Take notice, that it is my intention to sell my Tenancy in the above holding.

Dated this day of 188

Signed,

[To be signed by the Tenant.]

To _____

The Landlord of the above holding.

* These particulars must be prefixed as a heading to each form. In forms 16, 21, 22, 23, 24, and 25, a slight alteration is made to meet the case of the tenant being dead

FORM No. 2.

[Heading same as Form No. 1.]

The Proceedings under this Notice are intended to be carried on
before the Court.

[State either "Civil Bill Court of the County," or "Land Commission,"
at choice of Party.]

Originating Notice of Application by Landlord to ascertain true value of Tenancy with a view to purchase.

Having received notice from you of your intention to sell your tenancy, and having disagreed with you as to the terms of the purchase thereof by me, I, electing to purchase the same under clause 1 of the Act, apply to the Court to ascertain the true value thereof.

Dated this day of 188

Signed,

To [To be signed by the Landlord, or by his Agent or Solicitor on his behalf
The Tenant of the above holding.

FORM No. 3.

LAND LAW (IRELAND) ACT, 1881.

Notice by Tenant of the name of Purchaser (other than Landlord), and of the consideration agreed to be given.

County

Landlord,

Tenant,

HOLDING—

County.			Poor Law Union.			Electoral Division.		
Name by which Lands are known } on Ordnance Survey Map, }								
Area in Statute Measure.			Rent of Holding.			Gross Poor Law Valuation.		
A.	R.	P.	£	s.	d.	£	s.	d.

I have agreed to sell my tenancy in the above holding. The name of the Purchaser is of and the consideration agreed to be given by him for the purchase is £

Dated this day of 188

Signed,

To [To be signed by the Tenant;
The Landlord of the above holding.

FORM No. 4.

[Heading same as Form No. 1.]

The Proceedings under this Notice are intended to be carried on before
the Court.

[State either "Civil Bill Court of the County," or "Land Commission," at choice
of party.]

Originating Notice by Landlord of Application to declare Sale of Tenancy Void.

I apply to the Court to declare void the sale made or agreed to be
made by you of your tenancy in the above holding to
and I make this application because you have failed to

[State either "Give me notice of your intention to sell the tenancy;" or, "Give me
notice of the name of the purchaser;" or, "Give me notice of the consideration agreed
to be given for the tenancy."]

Dated this day of 188

Signed,

[To be signed by the Landlord, or by his Agent or Solicitor on his behalf.]

To ———

The Tenant of the above holding.

FORM No. 5.

[Heading same as Form No. 3.]

Notice of Refusal by Landlord to accept Purchaser as Tenant on reasonable grounds.

I refuse to accept of the purchaser named in your
notice of the day of 188 , as my Tenant on the
following reasonable grounds :—

[State specifically the grounds on which the Purchaser is objected to.]

Dated this day of 188

Signed,

[To be signed by the Landlord, or by his Agent on his behalf.]

To ———

The Tenant of the above holding.

FORM No. 6.

[Heading same as Form No. 1.]

The Proceedings under this Notice are intended to be carried on before
the Court.

[State either "Civil Bill Court of the County," or "Land Commission," at choice
of party.]

Originating Notice by Tenant of disputing Landlord's grounds of Refusal of Purchaser.

I dispute your grounds of refusal to accept as your Tenant
of _____, the purchaser of my tenancy in the above holding, and I
apply to the Court to declare your grounds of refusal not reasonable.

Dated this _____ day of _____ 188

Signed, _____

[To be signed by the Tenant.]

To _____

The Landlord of the above holding.

FORM No. 7.

[Heading same as Form No. 3.]

Notice by Landlord of objection to Purchaser when im- provements have been made and substantially main- tained by Landlord or his predecessors.

I assert that the permanent improvements in the above holding, in
respect of which, if made by you or your predecessors in title, you would
have been entitled to compensation under the provisions of the Land-
lord and Tenant (Ireland) Act, 1870, as amended by the Land Law
(Ireland) Act, 1881, have been made and substantially maintained by
me or my predecessors in title, and not by you or your predecessors in
title.

And I refuse to accept _____ of _____ the purchaser named in
your notice of the _____ day of _____ 188 _____ as my tenant.

Dated this _____ day of _____ 188

Signed, _____

[To be signed by the Landlord, or by his Agent on his behalf.]

To _____

The Tenant of the above holding.

FORM No. 8.

[Heading same as Form No. 1.]

The Proceedings under this Notice are intended to be carried on
before the Court.

[State either "Civil Bill Court of the County," or "Land Commission," at
choice of Party.]

Originating Notice by Tenant that he disputes the fact
of improvements having been made and substantially
maintained by Landlord or his predecessors.

I dispute your assertion that the improvements mentioned in your
Notice of the day of 188 have been made and substan-
tially maintained by you or your predecessors in title, and I consequently
dispute the validity of your objection to of
as the purchaser of my tenancy, and I apply to the Court for its
decision.

Dated this day of 188

Signed,

[To be signed by the Tenant.]

To _____

The Landlord of the above holding.

FORM No. 9.

[Heading same as Form No. 3.]

Notice of consent by Landlord that improvements made
or paid for by him or his Predecessors shall be sold
along with the Tenancy.

I consent that the permanent improvements on the above holding "Made or
which have been by shall be sold along with your paid for."
tenancy in the above holding, "Me" or
"my prede-
cessors in
title."

["Solely" or "jointly with you," or "jointly with your predecessors in title."]

Dated this day of 188

Signed,

[To be signed by the Landlord, or his Agent in his behalf]

To _____

FORM No. 10.

[Heading same as Form No. 1.]

County _____, No. _____.

The proceedings under this Notice are intended to be carried on before the _____ Court.

[State either "Civil Bill Court of the County of _____," or "Land Commission."]

Originating Notice of Application to have Purchase Money of Tenancy and Landlord's Improvements apportioned.

The tenancy in, and the Landlord's improvements upon, the above holding having been sold together, and having produced the sum of £ _____, apply to the Court to apportion the said sum of £ _____, as between the respective values of the said tenancy and the said improvements.

" 1st or
" 2nd."

Dated this _____ day of _____ 188 _____

Signed,

[To be signed by the Landlord and Tenant if application be by both; by the one making the application if made by one only.]

To _____

The Landlord of the above holding, or the Tenant of the above holding if made by one only; if made by both, to be omitted.

FORM No. 11.

[Heading same as Form No. 3.]

Notice of claim by Landlord against outgoing Tenant for Arrears of Rent, or other breaches of the Contract or Conditions of Tenancy.

Take notice, that I claim the sum of £ _____, of which the following are the particulars:

[State here particulars in respect of which the sum is claimed, as for instance—Arrears of Rent, £ _____, stating gales; Breach of a contract to repair, £ _____; Total, £ _____]

Dated this _____ day of _____ 188 _____

Signed,

[To be signed by the Landlord, or his Agent in that behalf.]

To _____

the outgoing Tenant or the Purchaser.

FORM No. 12.

[Heading same as Form No. 3.]

Notice by outgoing Tenant admitting or denying that
the sums claimed by Landlord are due.

I

"Admit that the sum of £ claimed by the notice of the day of 188 ;" or,
"I deny that the sum of £ claimed by the notice of the day of 188 ,
or any sum in respect of the matter stated in the said notice;" or, "I admit that the
sum of £ , in respect of (as mentioned in the notice of the day of , 188),
is due by me; but I deny that any further sum in respect of the matter mentioned in
the said notice."

is due by me.

Dated this day of 188 .

Signed,

[To be signed by the Tenant.]

To _____

The Landlord of the above holding and the Purchaser.

FORM No. 13.

[Heading same as Form No. 1.]

Notice of intention to Sell Holding by Execution
Creditor.

Take notice that it is my intention, as an Execution Creditor of the
above Tenant, under a judgment for £ dated , to sell
the tenancy in the above holding by Sheriff's sale on the day
of next.

Dated this day of 188 .

Signed,

[To be signed by Execution Creditor, or his Solicitor on his behalf. If
Landlord be the Execution Creditor that fact should be mentioned.]

To _____

The Landlord.

NOTE.—This notice must be served both on Landlord and Tenant, or Tenant alone if
Landlord himself is the Execution Creditor.

Form No. 14

[Heading same as Form No. 1.]

County No.

The Proceedings under this Notice are intended to be carried on
before the Court.

[State either "Civil Bill Court of the County," or "Land Commission," at choice
of party.]

Originating Notice by Landlord of Application to ascertain true value of Tenancy, when Sale is made under a Judgment, or other process of law, against the Tenant, or for the payment of the Debts of a Deceased Tenant.

Having received notice from you as of the above Tenant of your intention to sell the tenancy, I elect to purchase the same under clause 1 of the Act, and I apply to the Court to ascertain the true value thereof.

Dated this day of 188

Signed,

[To be signed by the Landlord.]

To ———

The person serving notice of intention to sell, and, if sale under execution, to the Sheriff of the county and to the Tenant.

Form No. 15.

[Heading same as Form No. 1.]

County No.

The proceedings under this Notice are intended to be carried on
before

[State either "Civil Bill Court of the County," or "Land Commission," at choice of party.]

Originating Notice of intention to Purchase by Landlord, being also Execution Creditor, and of application to Court to fix Value.

Take notice that I, the above-named Landlord, being also an Execution Creditor of the above-named Tenant, under a writ of
for £ :, elect to purchase the tenancy in the above holding, under clause 1 of the Act, and I apply to the Court to ascertain the true value thereof.

Dated this day of 188

Signed,

[To be signed by the Landlord, or his Agent to that effect.]

To ———

The Sheriff of the County of ———

And to ———

The Tenant

FORM No. 16.
LAND LAW (IRELAND) ACT, 1881.

Name of Landlord, and Residence of Landlord if known, _____
 Name and Residence of Landlord's Agent, if any, _____
 Name and Residence of Deceased Tenant, _____
 Name and Residence of Personal Representative, _____
 Post Office from which Personal Representative receives his Letters, _____

HOLDING—

County.			Poor Law Union.			Electoral Division.		
Name by which Lands are known } on Ordnance Survey Map, }								
Area in Statute Measure.			Rent of Holding.			Gross Poor Law Valuation.		
A.	R.	P.	£	s.	d.	£	s.	d.

Notice of intention to Sell Tenancy, if given by
Personal Representative.

Take notice that it is intention as of the said Tenant
to sell the tenancy in the above holding.

Dated this day of 188

Signed,

[To be signed by the Personal Representative.]

To ——— The Landlord of the holding.

"My," or
"our,"
"Execu-
tor," "Ex-
ecutors," or
"Adminis-
trator."

FORM No. 17.

[Heading same as Form No. 16, substituting the names and residence of Assignees in Bankruptcy, or person having carriage of sale for that of the name and residence of the Personal Representative of the late Tenant.]

Notice of intention to Sell Holding, if given by Assignees
in Bankruptcy or person having carriage of Sale under
the Order of any Court.

Take notice that it is intention as
["Assignees in Bankruptcy of the above Tenant," or "Having carriage of the sale of the tenancy, under an order of the Court, dated—day of—188 "]
to sell the tenancy in the above holding.

Dated this day of 188

Signed,

[To be signed by the person or persons giving the notice.]

To ——— The Landlord.

To ——— The Tenant.

"My," or
"our,"

FORM No. 18.

[Heading same as Form No. 3.]

Notice by Landlord of intention to purchase tenancy as
a means of securing the sum due to him for arrears
of rent and breaches of contract.

Take notice that I claim that the sum of £ is due to me by
you, of which the following are the particulars :—

[State particulars briefly here, as for instance—Arrears of Rent, specifying
gales, £ ; Breach of contract to repair, £ ; Total, £]

and that I am not desirous of purchasing your tenancy in the above
holding otherwise than as a means of securing the payment of the said
sum of £ , but that I claim to be declared the purchaser of the
said tenancy at that sum if you determine to proceed with the sale, and
if no purchaser can be found within three months after the service of this
Notice who will give the said sum of £

Dated this day of 188

Signed,

[To be signed by the Landlord, or his Agent in that behalf.]

To ———

The Tenant of the above holding.

FORM No. 19.

[Heading same as Form No. 1.]

County , No.

The proceedings under this Notice are intended to be carried on
before the Court.

[State whether "Civil Bill Court for the County," or "Land Commission,"
at choice of party.]

Originating Notice by Tenant disputing sums claimed
to be due by Landlord.

I dispute that the sum of £ claimed by your Notice of
the day of 188 is due by me to you ; and I apply to
the Court to have it determined whether any, and, if any, what sum is
due by me to you in respect of the matters mentioned in your said
Notice.

Dated the day of 188

Signed,

[To be signed by the Tenant.]

To ———

The Landlord of the above holding.

Insert
amount
claimed by
Landlord.

FORM No. 20.

[Heading same as Form No. 1.]

County _____, No. _____

The Proceedings under this Notice are intended to be carried on before
the _____ Court.

[State either "Civil Bill Court of the County," or "Land Commission," at choice
of party.]

Originating Notice by Landlord of Application to Court
to be adjudged the purchaser of a holding at the sum
claimed for arrears of rent and breach of contract.

I apply to the Court to be adjudged the purchaser of your holding at
the sum of £ _____ stated as due by you to me in my notice of
the _____ of _____.

Signed,

Dated the _____ day of _____ 188 _____

[State date of Notice of intention to purchase as means of securing arrears of rent,
and breach of contract.]

To _____

The Tenant of the above holding.

FORM No. 21.

[Heading as in Form No. 16.]

Notice by Personal Representative of Tenant nominating
Person to succeed to Tenancy.

[I (name) or we, the Executors named in the will, dated _____ day of _____ 188 _____, or I, the
Administrator of the personal estate]

_____ of the above-named Tenant, hereby
nominate _____ of _____

[Name and Address of person nominated.]

being a

[Legatee named in the said will, or a person entitled to a share of the personal estate of
the said Tenant under the Statute of Distributions.]

to succeed to the Tenancy of the above-named Tenant in the above
holding.

Dated this _____ day of _____ 188 _____

Signed,

[To be signed by the Executor or Executors, Administrator or Administrators.]

To _____

The Landlord of the above holding.

D

FORM No. 21A.

[Heading as in Form No. 16.]

Notice by Legatee or personal Representative of Bequest
of a Tenant's Holding to one person only.

Take notice that the above holding was bequeathed by the will of the
said (Tenant.), deceased, to of
And that the personal representatives of the said deceased tenant have
assented to the said bequest.

Dated this day of 188

Signed,

[Name or names.]

To ———

The above named Landlord,
and to ——— his Agent.

FORM No. 22.

[Heading as in Form No. 16.]

Notice of refusal by Landlord to accept Legatee or next
of kin as Tenant on reasonable grounds.

I refuse to accept of the person named in your
[Insert name of Legatee or next of kin.]

Notice of the day of 188 , on the following reasonable
grounds:—

[State specifically the grounds on which the Legatee or next of kin is objected to.]

Dated this day of 188

Signed,

[To be signed by the Landlord, or his Agent on his behalf.]

To ———

The Executor or Executors, or the Administrator or Administrators of the Tenant.

FORM No. 23.

[Heading as in Form No. 16.]

Notice by Landlord of refusal to accept Legatee or next
of kin as Tenant where improvements have been made
and substantially maintained by the Landlord or his
predecessors.

I assert that the improvements on the above holding, in respect of
which, if made by the Tenant or his predecessors in title, he would have
been entitled to compensation under the *Landlord and Tenant (Ireland)*
Act, 1870, as amended by the *Land Law (Ireland) Act, 1881*, have been
made and substantially maintained by me and my predecessors in title,
and not by the above named Tenant or his predecessors in title; and I
refuse to accept of the person named in your notice of
the day of 188 , as my Tenant.

Dated this day of 188

Signed,

[To be signed by the Landlord, or by his Agent on his behalf.]

To ———

[The personal Representative of the tenant.]

FORM No. 24.

[Heading as in Form No. 16.]

Notice by Landlord requiring personal Representative
to Sell.

Take notice that as you, being the personal Representative of the above-named Tenant, have not nominated

[Insert "One of the Legatees under his will," or "One of the persons entitled in distribution to his personal estate."]

to succeed to his tenancy in the above holding, I hereby require you to sell the said tenancy.

Dated this day of 188

Signed,

[To be signed by the Landlord or his Agent on his behalf.]

To _____

The personal Representative of the deceased Tenant.

FORM No. 25

[Heading as in Form No. 16.]

County , No.

The proceedings under this Notice are intended to be carried on before the Court.

[State either "Civil Bill Court of the County," or "Land Commission," at choice of Party.]

Originating Notice of Application to Court by Landlord
to Sell Tenancy by reason of default of personal Re-
presentative to nominate successor or to sell.

As you, being the personal Representative of the above-named Tenant, have not nominated one of the

["Legatee under his will," or "Person entitled in distribution to his personal estate."]

to succeed to his tenancy in the above holding, and have failed to sell the said tenancy, although required by me, by notice dated the day of 188 , to sell the same, I apply to the Court to direct a sale of the said tenancy.

Dated this day of 188

Signed,

[To be signed by the Landlord, or his Agent on his behalf.]

To _____

The personal Representative of the deceased Tenant.

FORM No. 26.

[Heading same as Form No. 1.]

The proceedings under this Notice are intended to be carried on before
the Court.

[Either " Civil Bill Court of the County of " or the " Land Commission " at choice.]

Originating Notice by Landlord applying to Court for re-
sumption of whole or part of holding.

I apply to the Court for an order authorizing the resumption of the
part of the above holding, containing

[If entire holding is sought to be resumed, strike out the words, " the part of," and the
subsequent description.]

or thereabouts, and described in the Map or tracing accompanying this
Notice, for a reasonable and sufficient purpose, having relation to the
good of the

[Holding or estate.]

namely—

[State specifically the purpose.]

Dated this day of 188

Signed,

[To be signed by the Landlord or Agent in his behalf.]

To ———

The Tenant of the above holding.

FORM No. 27.

[Heading same as Form No. 1.]

County , No.

The proceedings under this Notice are intended to be carried on before
the Court.

[State either " Civil Bill Court of the County," or " Land Commission," at choice
of party.]

Originating Notice of application by Tenant, or Landlord
and Tenant jointly, to Court to fix Fair Rent.

the

[Tenant, or Landlord and Tenant, as the case may be.]

apply to the Court for an Order fixing the Fair Rent to be
hereafter paid for the above holding.

Dated this day of 188 .

Signed,

[To be signed by the party or parties making the application.

To ———

The Landlord if application be not made jointly.

FORM No. 28.

[Heading same as Form No. 1.]

The Proceedings under this Notice are intended to be carried on
before the Court.

[State either "Civil Bill Court of the County," or "Land Commission," at
choice of Party.]

Originating Notice of application to Court by Landlord to fix Fair Rent.

the Landlord of the above holding, having demanded

[Landlord.]

that the Rent of the above holding should be increased to £
a year, which the Tenant has declined to accept [or having failed to
come to an agreement with the Tenant as to the Rent, viz.,
], apply to the Court for

[Stating specific nature of disagreement.]

an Order fixing the fair rent to be hereafter paid for the above holding.

Dated this day of 188 .

Signed,

[To be signed by the party or parties making the application.]

To _____
The Tenant.

FORM No. 28A.

County of

Record No.

IRISH LAND COMMISSION.

Application and Consent to withdraw an Originating Notice.

PARTICULARS of Holding as given in Originating Notice:—

Name of Landlord, and Residence of	{	_____
Landlord, if known,		_____
Name and Residence of Landlord's	{	_____
Agent, if any,		_____
Name and Residence of Tenant,	{	_____
Post Office from which Tenant re-		_____
ceives his Letters,	{	_____

HOLDING—

County.			Poor Law Union.			Electoral Division.		
Name by which Lands are known } on Ordnance Survey Map. }								
Area in Statute Measure.			Rent of Holding.			Gross Poor Law Valuation		
Ac.	R.	P.	£	s.	d.	£	s.	d.

Application to Withdraw.

I hereby apply to the Irish Land Commission for leave to withdraw the Originating Notice of Application to the Court to

[Here state nature of application, e.g., to fix a fair rent, or to set aside a lease.]
lodged in this case.

Dated this day of 188

(Signature)_____

[The signature of the person who lodged the Originating Notice, or of his solicitor.]

Name and description of Witness }
to Signature (where necessary), } _____

[If the person who lodged the Originating Notice is the tenant of the holding, his signature must be witnessed in the manner mentioned in Rules and . The signature of a solicitor need not be witnessed.]

Consent to Withdraw.

I hereby consent that the Originating Notice in this case be withdrawn.

Dated this day of 188

(Signature)_____

[The signature of the other party in the case, or of his solicitor.]

Name and description of Witness }
to Signature (where necessary), } _____

[If the person hereby consenting is the tenant of the holding, his signature must be witnessed in the manner mentioned in Rules 115 and 78. The signature of a solicitor need not be witnessed.]

Ruling.

Let the Originating Notice in this case be withdrawn.

Dated this day of 188

(Signature)_____

FORM No. 29.

[Heading same as Form No. 1.]

Notice by Landlord to resist application to fix Fair Rent.

I submit that you are not entitled to have the rent to be hereafter paid for the above holding fixed by the Court, for I say that the permanent improvements upon the above holding, in respect of which, if made by you or your predecessors in title, you would have been entitled to compensation under the provisions of the Landlord and Tenant (Ireland) Act, 1870, as amended by the Land Law (Ireland) Act, 1881, have been made by me or my predecessors in title, and have been substantially maintained by me and my predecessors in title, and not made or acquired by you or your predecessors in title.

Dated this day of 188

Signed,

[To be signed by the Landlord or his Agent on his behalf.]

To _____

The Tenant of the above holding.

FORM NO. 30.

[Heading same as Form No. 3.]

Notice by Landlord or Tenant to fix specified value of
his Tenancy.

My or
year. When the application mentioned in Notice of the day
of 188 comes on to be heard, I shall apply that the value
My or of tenancy in the above holding may be declared and specified.

Dated this day of 188

Signed,

[To be signed by party giving notice, or if party be Landlord by his Agent.]

T₀ _____

The other Party, and to the Secretary, Land Commission, or Clerk of the Peace
(as the case may be).

Rule 112.

FORM No. 31.

[Heading same as Form No. 1.]

County	No.
--------	-----

The proceedings under this notice are intended to be carried on before the _____
[State either Civil Bill Court of County, or Land Commission, at choice of party.]

Originating Notice by Landlord of application to Court to ascertain amount by which specified value of Tenancy should be increased or diminished.

Having received notice from the Tenant of his intention to sell his tenancy, and being desirous to buy same, but having disagreed with the Tenant as to the price to be paid by me therefor, I apply to the Court to ascertain the amount by which the purchase-money should be increased above or diminished below the value of £ , specified in the order of the day of 188

Dated this day of 188

Signed,

[To be signed by the Landlord, or the Agent on his behalf.]

To _____

The Tenant of the holding.

FORM No. 32.

[Heading same as Form No. 1.]

County _____, No. _____

The proceedings under this notice are intended to be carried on before the _____ Court.

[State either Civil Bill Court of County, or Land Commission, at choice of party.]

To be
omitted if
Landlord
serves
notice first.

Originating Notice by Tenant of application to Court to ascertain amount by which specified value of Tenancy should be increased or diminished.

Having given notice to the Landlord of my intention to sell my tenancy, and having disagreed with the Landlord as to the price to be paid to me therefor, I apply to the Court to ascertain the amount by which the purchase-money should be increased above or diminished below the value of £ _____, specified in the order of the _____ day of _____ 188

Dated this _____ day of _____ 188

Signed,

[To be signed by the Tenant.]

To _____

The Landlord of the Holding.

FORM No. 33.

LAND LAW (IRELAND) ACT, 1881.

Name of Landlord, and Residence of { _____
Landlord if known, . . . { _____

Name and Residence of Landlord's { _____
Agent, if any, . . . { _____

Name and Residence of Tenant, . { _____

Post Office from which Tenant re- { _____
ceives his Letters, . . . { _____

HOLDING—

County.			Poor Law Union.			Electoral Division.		
Name by which Lands are known, on Ordnance Survey Map, }								
Area in Statute Measure.			Rent of Holding prior to Agreement.			Gross Poor Law Valuation.		
A.	R.	P.	£	s.	d.	£	s.	d.

To the Court.

Originating Agreement and Declaration between the Landlord and Tenant of a present Tenancy, fixing Fair Rent of Holding.

We hereby agree and declare that £ yearly is the fair rent of the above holding; and we apply to the Court to file this agreement, to the intent that the said Rent of £ may be the Judicial Rent of the holding.

[State either "Civil Bill Court of the County," or "Land Commission," at choice of party.]

Dated this day of 188

Signed,

(1.)

[Signature of Landlord.]

(2.)

Signature of the Tenant. The Tenant's signature must be witnessed by a Clergyman, by a Solicitor, by a Commissioner for taking Affidavits, by a Justice of the Peace, or a Poor Law Guardian, but such witness must not be in the employment of the Landlord.]

Signed by in my presence

(3.) And I certify that the above agreement and declaration has been read and explained to the Tenant in my presence.

[To be added if Tenant be a marksman, but not otherwise.]

Form No. 34.

[Heading same as Form No. 1.]

Certificate of filing of Agreement and Declaration fixing Fair Rent.

This is to certify that on the day of 188 , an Agreement and Declaration in writing, under the hands of the Landlord and Tenant, dated the day of 188 , whereby it was agreed and declared that £ was the fair rent of the above holding, was filed in Court pursuant to the provisions of Sec. 8, Sub-sec. 6, of the Land Law (Ireland) Act, 1881.

[Signature of Clerk of the Peace or Secretary of the Land Commission, as the case may be.]

FORM No. 35.

[Heading same as Form No. 1.]

County _____, No. _____

The proceedings under this Notice are intended to be carried on
before the _____ Court.

[State either Civil Bill Court of County of _____ or Land Commission.]

Originating Notice by Landlord of Application to Court to sanction Judicial Lease.

I apply to the Court to sanction the Lease, a draft of which is
herewith transmitted.

I am _____ owner of the lands comprising the said holding.

[Absolute or limited.]

My interest is

[State interest of limited owner, viz., as Tenant for life or otherwise. To be omitted
if Landlord is absolute owner.]

The other persons interested in the said lands are

[Give names and descriptions of other persons interested, viz., persons entitled in re-
mainder, &c., and names of Trustees, if any, in Settlement. To be omitted if Land-
lord is absolute owner.]

The said lands are subject to the incumbrances mentioned in the
schedule hereto

[To be omitted if the Landlord's interest is unincumbered.]

The persons interested in the said incumbrances are

[To be omitted if the Landlord's interest is unincumbered.]

No person interested in the said lands (*or to my knowledge in the
said incumbrances) is an infant, idiot, lunatic, or married woman, except

[To be omitted if Landlord is absolute owner. *To be omitted if Landlord's interest
is unincumbered.]

The Tenant's interest is

[State either that the Tenant's interest is unincumbered, or if incumbered, state briefly
the incumbrance, and in whom vested.]

Dated this _____ day of _____ 188

Signed,

[To be signed by Landlord, or Agent on his behalf.]

To _____

Clerk of Peace of County, or Secretary of Land Commission.

FORM No. 36.

[Heading same as Form No. 1.]

Notice by Landlord to person interested of Application
having been made to sanction Judicial Lease.

Take Notice, that I have applied to the _____ to sanction a lease

[“ Civil Bill Court of the County of _____,” or “ Land Commission.”]

by me to the above Tenant of the above holding at the rent above
 stated, for the term of _____ years, from the _____ day of _____ 18
 and this notice is served on you in order that you, if so advised, may
 appear upon the hearing of such application.

Dated this _____ day of _____ 18

Signed,

[To be signed by the Landlord, or his Agent on his behalf.]

To _____

And to the Mortgagees of the Landlord and Tenant respectively,
 and such other Incumbrancers, and such Trustees, Persons in
 remainder, or persons as the Landlord shall deem it expedient
 to serve.

FORM No. 37.

[Heading same as Form No. 1.]

Agreement by Landlord and Tenant that an existing
Tenancy shall become a fixed Tenancy.

We agree that the tenancy now existing in the above holding shall
 become a fixed tenancy upon the following conditions—

The Tenant shall pay the annual fee-farm rent of £ _____ to be
 subject to revaluation by the Court every _____ years.

[To be omitted if rent be not intended to be subject to revaluation.]

[As may be agreed on, but not to be less than 15.]

Dated this _____ day of _____ 18

Signed,

[To be signed by the Landlord, or his Agent on his behalf, and the Tenant. Tenant's
 signature must be witnessed by a Clergyman, a Solicitor, a Commissioner for taking
 Affidavits, a Justice of the Peace, or a Poor Law Guardian, but witness must not be
 in the employment of the Landlord.]

To _____

The Clerk of the Peace for the County or The Land Commission.

FORM No. 39.

[Heading same as Form No. 1.]

County _____, No. _____

The proceedings under this Notice are intended to be carried on before the _____ Court.

[State either "Civil Bill Court of County," or "Land Commission," at choice of party.]

Originating Notice by Tenant of application to Court to authorize letting of Land for the use of Labourers.

The above holding contains _____ statute acres of tillage land.

I apply for the sanction of the Court to my letting _____ acres, roads, _____ perches, of the above holding for the use of Labourers *bona fide* employed, and required for the cultivation of the holding.

[State whether with or without dwelling-houses.]

The situation of the part of my holding which I propose so to let been approved by the Landlord.

[has or has not.]

In the Schedule endorsed hereon I have set out the quantity of land in each letting, and the rent I propose to charge for each.

Dated this _____ day of _____ 188

Signed,

[To be signed by the Tenant.]

To _____

The Landlord of the holding.

FORM No. 40.

[Heading same as Form No. 1.]

County _____, No. _____

The proceedings under this Notice are intended to be carried on before the _____ Court.

[State either "Civil Bill Court of County," or "Land Commission," at choice of party.]

Originating Notice by Landlord of application to resume Holding on expiration of Lease existing at the date of the passing of the Land Law (Ireland) Act, 1881.

I apply to the Court for authority to resume the above holding for the purpose of

[Occupying the same as a residence for myself, or occupying the same as a home farm in connexion with my residence, or providing a residence for a member of my family.]

Dated this _____ day of _____ 188

Signed,

[To be signed by the Landlord, or his Agent on his behalf.]

To _____

The Tenant of the Holding.

FORM No. 41.

[Now Inapplicable.]

LAND LAW (IRELAND) ACT, 1881.

FORM No. 42.

Summons for Witnesses.

Landlord.

Tenant.

[State name of Landlord.]

[State name of Tenant.]

Court [State Civil Bill Court, or Land Commission.]

The undernamed person is hereby required, pursuant to the Statute in that behalf, personally to appear and give evidence in this case on behalf of

[State the person on whose behalf attendance is required.]

before at the sittings (or Court

[The Civil Bill Court, or Land Commission.]
House) in the town of in the County of
on the day of at the Sitting of the Court, and so
from day to day until the matter is disposed of, and then and there to
produce the documents set forth in the Schedule annexed hereto, and
herein to fail not under the penalty of £10.

Dated this day of 18
Signed,

[If the case be before the Civil Bill Court, this Summons must be signed by the Clerk of the Peace. If the case be before the Land Commission it must be signed by the Registrar, or Assistant-Registrar, of the Land Commission, or by a member of a Sub-Commission, or by the Clerk of the Peace.]

To

SCHEDULE.

Date of Document.	Nature of Document.

FORM No. 43.

[Heading same as Form No. 1.]

County, No.

Notice to a Party appearing to have an interest.

A case being pending before the Court for the purpose

[State either "Civil Bill Court of the County," or "Land Commission," at choice of party.]

of

[State purpose, such as fixing a fair rent, or whatever the purpose may be]

and it appearing that you have, or claim to have, an interest, take Notice that upon service hereof on you, you shall have the same rights of appearing in Court, of intervening, and being served with Notice in the case, and you may be bound in the same manner as if you had been a person named in the originating notice herein.

To ———

FORM No. 44.

[Heading same as Form No. 1.]

County _____, No. _____

CIVIL BILL COURT—RECEIVABLE ORDER.

No. _____

County _____

Notice to Bank to receive Lodgment.

Receive a lodgment of £ _____ by _____ which place in my name to credit of the above matter and number.

Dated this _____ day of _____ 188 _____

Signed,

[To be signed by the Clerk of the Peace, or Crown and Peace.]

_____ Clerk of the

County of _____

To the Cashiers of the Bank of Ireland.

FORM No. 45.

[Heading same as Form No. 1.]

County _____, No. _____

Notice to Bank to receive Lodgment.

THE IRISH LAND COMMISSION.

Title of Account,

Receivable Order, No. _____

County _____

Name of Payer,

Address,

On or before _____ 188 _____, please to receive £ _____ which place to the credit of the Cash Account of the Irish Land Commission.

Date _____ 188 _____

_____ Accountant of the Irish Land Commission.

To the Cashiers of the Bank of Ireland.

FORM No. 46.

[Heading same as Form No. 1.]

County _____, No. _____

Notice to transfer Proceedings from Civil Bill Court to Land Commission.

I apply to the Land Commission to transfer the proceedings in this case from the Civil Bill Court of the County of _____ to the Land-Commission.

Dated this _____ day of _____ 188 _____

Signed,

[To be signed by party making application for Transfer.]

To _____

The party originating the proceedings, the Clerk of the Peace for the County, and the Secretary of the Land Commission. A copy of the Originating Notice must be served with this notice on the Secretary of the Land Commission.

FORM No. 47.

[Heading same as Form No. 1.]

County _____, No. _____

Notice to show cause against application to transfer proceedings from Civil Bill Court to Land Commission.

I show cause against the proceedings upon my Originating Notice of the _____ day of _____ 18 _____, being transferred from the Civil Bill Court of the County of _____ to the Land Commission, for I say that

[State specifically grounds on which it would be unjust or unreasonable that proceedings should be transferred.]

Dated this _____ day of _____ 188 _____

Signed,

[To be signed by party showing cause.]

To _____

The party applying to have proceedings transferred.

FORM 47 A.

LAND LAW (IRELAND) ACT, 1881.

Civil Bill Court for the County of _____

CERTIFICATE OF DATE OF SITTING.

Landlord, _____

Tenant, _____

County of _____

Record No. _____

I certify that the above case, if not transferred to the Land Commission, would, in due course of business, be listed for hearing at the Sitting of this Court commencing the _____ day of _____ 188 _____.

_____ Clerk of the Peace for the County of _____

FORM No. 48.

[Heading same as Form No. 1.]

County , No.

Notice requiring Case to be reheard before all three Commissioners.

[State by whom Order made, viz., Sub-Commission, or Single Commissioner.]

I am aggrieved by the order of made at on the
day of 188 , whereby it has

[State substance of Order.]

and I require my case to be reheard before the three Land Commissioners
sitting together.

Dated this day of 188

Signed,

[To be signed by the party requiring his case to be reheard, or his solicitor.]

To _____

The opposite party and the Clerk of the Peace for the County, or the Secretary to the
Land Commission, as the case may be.

FORM No. 48A.

[Heading same as Form No. 1.]

County , No.

Notice of Appeal from Civil Bill Court.

I am aggrieved by the order of the Civil Bill Court of the County
of made at on the day of 188 , whereby
it has

[State substance of Order.]

and I appeal therefrom to the Land Commission.

Dated this day of 188

Signed,

[To be signed by the party requiring his case to be reheard, or his solicitor.]

To _____

The opposite party, and the Secretary to the Land Commission.

[FORM No. 49, under former Rules. now inapplicable.]

FORM No. 50.

[A copy of every original application must be furnished. If there are more than five applications contemporaneously from the same estate, a schedule of the particulars may be furnished instead of copies.]

LAND LAW (IRELAND) ACT, 1881.

Application by Landlord and Tenant for an advance
under Section 24.

Date.— day of 188

By this Agreement we, the Landlord and Tenant of the holding described in the first schedule hereto, have contracted for the sale thereof under s. 24, Land Law (Ireland) Act, 1881.

We apply for the advance named below, being not more than three-fourths of the price of the said holding.

[If sale is made in consideration of a fine and fee-farm rent, strike out three-fourths and put one-half.]

The balance of the price is to be paid in cash, or secured by

[If not paid in cash, state how the balance is to be secured, the rate of interest thereon.]

We hereby declare that the statements in this application, and the particulars in the schedules thereto are true in every particular, and that there is no other agreement between us respecting the sale of the said holding (save that annexed hereto).

[If no other agreement has been made, strike out these words.]

FIRST SCHEDULE.

Description of Holding.

[An Ordnance map, showing accurately the holding for sale, must be furnished with all applications.]

acres roods perches of the Townland of
Union of County of
now in occupation of the undersigned tenant, holding from year to year
(or under lease for years from).

£	s.	d.	
			Rateable Value of Holding. Rent payable by Tenant. Price of Holding. Advance applied for.

[Advances will be made for pounds only, and cannot include shillings or pence.]

SECOND SCHEDULE.

Outgoings out of Townland or Estate in which holding is situated.

	£	s.	d.	
These must be redeemed if possible, or the holding indemnified against them.	1			Tithe Rent-charge or instalments in lieu thereof, payable to Land Commission.
	2			Quit Rent.
	3			Land Improvement or Drainage Charge.
The redemption of these will facilitate the sale.	4			Lay Tithe.
	5			Head Rent payable to of

[State whether "Owner in Fee," "Fee-farm," under lease, tenant for life, or absolute owner.]

The Landlord is _____, and intends to convey the said holding to the Tenant, discharged from all outgoings save the following, subject to which the Tenant agrees to purchase.

THIRD SCHEDULE.

Outgoings subject to which holding is intended to be sold.

Amount.	Nature of Outgoing.	Person to whom it is Payable.
£ s. d.		

Signed by the Landlord or his Agent

Signed by the Tenant

In presence of

FOURTH SCHEDULE.

Particulars of Encumbrances affecting Lands for Sale.

Date of Deed.	Nature of Deed and Names of Parties thereto.	Name and Address of Person in whom Security is now vested.

If Advances for the purchase of several holdings on the same estate are applied for contemporaneously, this Schedule need only be filled up once.

[Form No. 51, under Rules of October, 1881, now inapplicable.]

FORM No. 52.

LAND LAW (IRELAND) ACT, 1881.

Application to Irish Land Commission to negotiate a Sale from Landlord to Tenants under Section 24.

County _____ Barony _____
 Poor Law Union _____ Electoral Division _____
 Townland, as known on Ordnance Survey Map _____
 Other name of Townland (if any) _____
 Name of Landlord _____ Address of Landlord _____
 Name and Address of Tenant or other person to whom communications should be addressed } _____
 on behalf of the Tenants of the Estate } _____

I, _____, the Landlord of the above-named Estate, apply to the Irish Land Commission to negotiate the sale of said Estate to the Tenants thereof, and I undertake to pay for the expenses of such negotiation, and of the completion of such sale, according to the following scale, that is to say—

	£	s.	d.
For the expenses of negotiation, up to and including signing of the contract, on every £100 of the purchase-money,	0	10	0
For subsequent expenses, including (if contract be completed) Conveyance from me to the Tenants, Mortgage to the Commission, Registration, and Stamp Duty, on every £100 of the purchase-money,	2	0	0

Dated _____ day of _____ 18 ____

Signed,

[To be signed by the Landlord.]

We, the undersigned Tenants on the above-named Estate, concur in the above application.

Signed,

[To be signed by the Tenants of the Estate, or some of them, if they concur in the application.]

FORM No. 52 A.

LAND LAW (IRELAND) ACT, 1881.

Undertaking by Landlord to pay Expenses to Irish Land Commission of a Sale from Landlord to Tenants under Section 24. (A or D.)

[Heading as in Form 52.]

I, _____, the Landlord of the above-named Estate, apply to the Irish Land Commission to carry out the sale of said Estate to the Tenants thereof, and I undertake to pay for the expenses of such sale, according to the following scale, that is to say—

	£	s.	d.
For expenses, including (if contract be completed) Conveyance from me to the Tenants, Mortgage to the Commission, Registration, and Stamp Duty, on every £100 of the purchase money,	2	0	0

Dated _____ day of _____ 18 ____

Signed,

[To be signed by the Landlord.]

FORM No. 52 B.

[N.B.—This Form will be used when the sale is proposed to be made
Not through the medium of the Irish Land Commission.]

LAND LAW (IRELAND) ACT, 1881.

Undertaking by Landlord to pay Outlay incurred by the
Irish Land Commission in a Sale from Landlord to
Tenants under Section 24. (C or E.)

[Heading as in Form 52.]

I, _____, the Landlord of this Estate, do hereby undertake to pay to the Irish Land Commission all outlay incurred by them in connexion with my application dated _____ day of 18 _____ for the sale of this Estate.

Dated _____ day of _____ 18 _____

Signed,

[To be signed by the Landlord.]

FORM No. 53.

LAND LAW (IRELAND) ACT, 1881.

Application by Landlord to sell an Estate under
Section 26.

I, _____ of _____ in the county of _____ being

[State whether "owner in fee," "tenant for life," or other "limited owner."]

of the lands described in the first Schedule hereto, propose to sell the said lands as an estate to the Irish Land Commission in pursuance of Section 26 of the Land Law (Ireland) Act, 1881.

I believe that a competent number of Tenants, being not less than three-fourths of the whole number of Tenants on the estate, and paying not less than two-thirds of the rental, are able and willing to purchase their holdings.

The Tenants who are, as I believe, able and willing to purchase their holdings for a "principal sum," are those numbered in said Schedule from 1 to _____ both inclusive.

The Tenants who are, as I believe, able and willing to purchase their holdings, in consideration of a fine, and a fee-farm rent, are numbered in said Schedule from _____ to _____ both inclusive.

The Tenants who, as I believe, are not able or willing to purchase their holdings, are numbered in said Schedule from _____ to _____ both inclusive.

I have in said first Schedule truly set forth particulars of the said Tenants' holdings respectively.

I have in the first part of the second Schedule set forth all the incumbrances affecting said holdings which it is not proposed to pay off or redeem, but in respect of which I propose to give an indemnity to the Irish Land Commission, and which indemnity I believe to be ample.

I have in the second part of the second Schedule hereto set forth all the incumbrances to which said lands are subject, and which it is proposed should be paid off or redeemed out of the purchase-money of said lands. I believe that the persons in whom said incumbrances are vested will consent to the sale, and will consent to said incumbrances being paid off or redeemed.

The said lands are not subject to any outgoing save the interest or annual payments in respect of the incumbrances aforesaid, and save the following:—

Amount of Outgoings.			Nature of Outgoings.*
£	s.	d.	
			Lay or Improprate Tithes. Tithe Rentcharge. Fixed Instalments in lieu of Tithe Rentcharge. These will cease in the year Quit and Crown Rent. Land Improvement Charges. These will cease in the year Head Rent.
			Total Outgoings.

[* State whether it is proposed to redeem any of these outgoings out of the purchase-money. The redemption of them will greatly facilitate the carrying out of the proposed sale.]

The Poor Rates struck for the last five years in the Electoral Division of the Union in which the holdings are situate were as follows:—

For the year, . . .	187	187	18	18	188	
	s. d.	s. d.	s. d.	s. d.	s. d.	
The rate was per £ of valuation, . . .						

Dated this . . . day of . . . 188 . . .
(Signature),

[To be signed by the Landlord or by his Agent on his behalf.]

I, . . . of . . . (*the duly appointed Land Agent of*

[This affidavit may be made by the Landlord or by his Agent. If made by the Landlord himself strike out the words in italics.]

), the above-named Landlord, make oath and say as follows:—I have read the above application, and likewise the schedules hereto annexed, and I say that the statements contained in the said application and schedules respectively are true in every particular.

Sworn before me this

[This affidavit may be sworn before a Justice of the Peace, or a Commissioner for taking affidavits.]

NOTE.—The several columns of figures in the schedules are to be added at foot, and the verification includes the accuracy of the addition as well as of the figures which make it up.

With the application must be sent the sheet or sheets of the 6-inch Ordnance Map, with the several holdings sketched or coloured thereon, and marked with numbers to correspond with the numbers of the holdings in the first column of the first schedule hereto.

The original rentals and accounts for the last five years of the estate on which the holdings are situate must be forwarded to the Land Commission for examination if required.

The tenancies on each townland should be placed on separate schedules if numerous.

All applications must be in duplicate.

NOTE.—Firstly—Set out the Tenants able and willing to purchase for a principal sum, and add their rents at foot.

Secondly—Set out the Tenants able and willing to purchase their holdings in consideration of a free and fee-farm rent, and add their rents at foot.

Thirdly—Set out the Tenants not able or willing to purchase, and add their rents at foot.

FIRST SCHEDULE.

County ——— Barony of ——— Poor Law Union ———

Electoral Division ——— Name of Townland, as known on }
Ordnance Survey Map }
Other Name, if any ———*Left hand.*

	A	B	C	D	E
Margin for Binding to be left blank.	Number of holding to correspond with the number on the Ordnance Map.	Name of the Tenant.	Tenure of Tenant.	Gale Days.	Area of holding, Statute Measure.
					A. R. P.

Right hand.

F	G	H	I	Observations.
Gross Poor Law Valuation.	Tenant's Rent.			
£ s. d.	£ s. d.	£ s. d.	£ s. d.	

For Second Schedule see page .

Form No. 54.

LAND LAW (IRELAND) ACT, 1881.

Proposal by Landlord to Sell an Estate under Section 26,
and Undertaking to Pay Expenses.

County ——— Barony ———

Poor Law Union ——— Electoral Division ———

Townland, as known on Ordnance Survey Map ———

Other name of Townland (if any) ———

Name of Landlord ——— Address of Landlord ———

I, _____ the above-named Landlord, do hereby propose to
sell to the Irish Land Commission, for the sum of £ _____, the above-

named Lands, the particulars of which are set forth in the application made by me to the Irish Land Commission, dated the _____ day of _____, 18____, and I undertake to pay to the Irish Land Commission, for the expenses of such Sale, according to the following scale, that is to say:—

£ s. d.

For the expenses up to and including notice by the Commission to the Landlord of their being willing to purchase, 0 10 0 per £100

Together with the subsequent expenses, that is to say, the actual outlay by the Commission in completing the sale.

Signed by me this _____ day of _____, 18____.

Signature of Landlord _____

Signed by the said Landlord in presence of

Signature } of Witness. { _____
Address } { _____
Description } { _____

FORM NO. 55.

LAND LAW (IRELAND) ACT, 1881.

Undertaking by Tenant to purchase his Holding from the Land Commission.

Estate of _____ County of _____ Townland of _____

Description of Holding.			Advance required.
Area in Statute Measure.	Rent.	Rateable Value.	

[Advances will be made for pounds only, and cannot include shillings and pence.]

I, _____, Tenant in occupation of the Holding above described, undertake, in case the Land Commission buy this Estate under Section 26 of the Land Law (Ireland) Act, 1881, to purchase my Holding held at above rent, for the sum of £ _____, and I am ready,

when called on, to lodge the sum of £ being one-fourth at least of the said price with the Land Commission.

[If the Applicant is not in occupation of the entire Holding he must furnish a rental showing the area and rent of his sub-tenants.]

Dated this day of

Signature of Tenant witnessed by _____

Signature of Tenant, _____

Residence, _____

Post Town or Office, _____

Name and Address of Solicitor or other
Person to whom communications for
Tenant are to be addressed, } _____

Form No. 56.

LAND LAW (IRELAND) ACT, 1881.

Application by Tenants to the Irish Land Commission to purchase an Estate for Sale in the Court of the Land Judges.

County of

In the Matter of the Estate of

Owner;
Petitioner.

We, the undersigned, being Tenants on Lot of the above-named Estate, apply to the Irish Land Commission to purchase said Lot.

A copy of the rental (or Consolidated Final Notice to Tenants) is sent herewith.

[Note.—In case the Rental has been settled, a copy of such Rental must be sent with this application; and if the Rental has not been settled, a copy of the Consolidated Final Notice to Tenants must be sent.]

We undertake to abide by any order the Land Commission may make for the purpose of protecting the Commission against loss on such purchase.

Dated this day of 188
Signed,

[The Land Commission cannot purchase any Lot unless three-fourths of the Tenants paying not less than two-thirds of the rental are able and willing to purchase their holdings.]

Name and Address of person to whom { Name _____
communications are to be addressed { Address _____
on behalf of the Tenants. { Post Town _____

[Form 57, under former rules, now inapplicable.]

FORM No. 58.

LAND LAW ACT (IRELAND), 1881.

Application by Tenant for an advance to enable him to purchase his Holding from the Land Judges of the Chancery Division of the High Court of Justice (or at Sale to be held at _____ on the _____ day of _____).

Estate of _____ Owner ; _____ Petitioner.
County of _____ Townland of _____

Area of Holding in Statute Measure.			Rent of Holding.			Rateable value of Holding.		
A.	R.	P.	£	s.	d.	£	s.	d.

NOTE.—In case the Rental has been settled, a copy of such Rental must be sent with this application; and if the Rental has not been settled, a copy of the Consolidated Final Notice to Tenants must be sent.

If the Sale is not in the Land Judges' Court, a copy of the Conditions of Sale and Map of the holding must be sent.

The tenant's last receipt for rent should also be furnished.

I _____ tenant in occupation of the lands above described, apply to the Irish Land Commission for an advance to enable me to purchase the said lands.

I have been declared purchaser of my holding for the sum of £ _____ (or I intend to offer £ _____ for my holding when offered for sale), and I request the Irish Land Commissioners to advance me the sum of £ _____ being not more than three-fourths of the above-named amount.

If declared purchaser, I am willing and undertake to pay such part of the purchase money as may not be provided by an advance from the Land Commission, and on such advance being made I agree that the holding shall be charged with an annuity of £5 for every £100 advanced by the Irish Land Commission, and so in proportion for any less sum for a period of 35 years.

I hereby undertake to pay for the expenses incurred by the Irish Land Commission in assessing the value of my holding such sum as the Commission may fix, not exceeding 10s. per £100, on the amount of the purchase money.

Dated this _____ day of _____ 188 .
Signature of Tenant witnessed by _____

Signature of Tenant, _____

Residence, _____

Post Town, _____

Name and Address of Solicitor or other person, } _____
to whom communications on behalf of the } _____
Tenant are to be addressed. }

[Forms 59 to 68 inclusive, are those in use in the Solicitors' Office.]

[Forms 69 and 70, under former rules, now inapplicable.]

[Form 71, now Form 28A.]

[Form 72 cancelled.]

[This Form requires a shilling impressed stamp, and the original must be lodged with the Land Commission.]

Form No. 73.

County of

No.

LAND LAW (IRELAND) ACT, 1881.

PARTICULARS.—(The following particulars must be accurately filled up.)

Name of Landlord, and Residence of { _____
Landlord if known, . . . { _____

Name and Residence of Landlord's { _____
Agent, if any, . . . { _____

Name and Residence of Tenant, . { _____

Post Office from which Tenant re- { _____
ceives his Letters, . . . { _____

HOLDING—

County.			Poor Law Union.			Electoral Division.		
Name by which Lands are known } on Ordnance Survey Map, }								
Area in Statute Measure.			Rent of Holding.			Gross Poor Law Valuation.		
A.	R.	P.	£	s.	d.	£	s.	d.

Originating Notice by Landlord and Tenant jointly to fix Fair Rent with consent to be bound by Valuer or Valuers to be appointed by the Land Commission.

To the Land Commission.

We, the Landlord and Tenant, apply to the Court for an order fixing the Fair Rent of the above holding, and we consent that same may be determined by Valuers to be named by the Land Commission, and that the Land Commission may make an order in accordance with the report of such Valuers, unless cause be shown to the contrary within ten days after the service by the Land Commission on us respectively of their order fixing the Fair Rent.

And we further agree

State agree-
ment as to
game and as to
poor rates and
county cess.

Dated this day of 188
Signature of Landlord or of Agent }
or Solicitor on his behalf, }
Signature of Tenant or of Solicitor }
on his behalf, }

[The Tenant's Signature must be witnessed by a Clergyman, by a Solicitor, by a Commissioner for taking Affidavits, or by a Poor Law Guardian, but the Witness must not be in any case a person in the employment of the Landlord.]

N.B.—An Ordnance Map with the boundaries of the above holding coloured thereon should accompany this form at the time of lodgment in the Land Commission

Appointment of Valuers.

The Land Commission hereby names Mr. ——— and Mr. ——— to report upon the Fair Rent of the above Holding.

Dated this day of 188 .

By Order,

Secretary.

Report of Valuers.

We, the Valuers named by the Land Commission, having, to the best of our skill and ability, inspected and examined the above Holding, and all alleged improvements thereon, and having had regard to the interests of Landlord and Tenant respectively, and having considered the circumstances of the case, Holding, and District, do hereby REPORT that in our opinion the Fair Rent of the above Holding should be the annual sum of

Dated this day of 188 .

Signature of Valuer, _____

Do. _____

Form 74

County of _____

No. _____

LAND LAW (IRELAND) ACT, 1881.

* PARTICULARS—(The following particulars must be accurately filled up in accordance with the form 27 previously served.)

Name of Landlord, and Residence of { _____
Landlord if known, . . . { _____

Name and Residence of Landlord's { _____
Agent, if any, . . . { _____

Name and Residence of Tenant, . { _____

Post Office from which Tenant re- { _____
ceives his Letters, . . . { _____

Set forth the particulars as stated in the originating Notice, Form 27, previously served by the Landlord or Tenant as the case may be.

HOLDING—as described in the Originating Notice served _____ day
of _____ 188 .

County.			Poor Law Union.			Electoral Division.		
* Name by which Lands are known } on Ordnance Survey Map, }								
Area in Statute Measure.			Rent of Holding.			Gross Poor Law Valuation.		
A.	R.	P.	£	s.	d.	£	s.	d.

CONSENT.

We, the Landlord and Tenant, hereby consent that the above application to fix a Fair Rent by Originating Notice served on the _____ day of _____ may be determined by Valuers to be named by the Land Commission, and that the Land Commission may make an order in accordance with the Report of such Valuers unless cause be shown to the contrary within ten days after the service by the Land Commission on us respectively of their order fixing a Fair Rent pursuant to rules.

And we further agree—

State agree-
ment as to
game and as to
poor rates and
county cess.

Dated this day of 188
Signature of Landlord or of Agent }
or Solicitor on his behalf, }
Signature of Tenant or of Solicitor }
on his behalf, }

The Tenant's Signature must be witnessed by a Clergyman, by a Solicitor, by a Commissioner for taking Affidavits, or by a Poor Law Guardian, but the Witness must not be in any case a person in the employment of the Landlord.]

N.B.—An Ordnance Map with the boundaries of the above holding coloured thereon should accompany this form at the time of lodgment in the Land Commission.

Appointment of Valuers.

The Land Commission hereby names Mr. ——— and Mr. ——— to report upon the Fair Rent of the above Holding.

Dated this day of 188 .

By Order,

Secretary.

Report of Valuers.

We, the Valuers named by the Land Commission, having, to the best of our skill and ability, inspected and examined the above Holding, and all alleged improvements thereon, and having had regard to the interests of Landlord and Tenant respectively, and having considered the circumstances of the case, Holding, and District, do hereby Report that in our opinion the Fair Rent of the above Holding should be the annual sum of

Dated this day of 188 .

Signature of Valuer, _____

Do. _____

[Form 75 now inapplicable.]

[Form 76 now Form 47 A.]

FORM NO. 77.

[Heading as in Form No. 1.]

The Landlord and Tenant hereby refer the dispute between them as to

[State specifically nature of dispute.]

to the Arbitration and Award of

[Names, residences, and description of Arbitrators.]

And in case of difference between them to the Umpirage of the Umpire below nominated and appointed by the said
and the Arbitrators above named, and agree to
abide by the Arbitration or Umpirage, as the case may be, when made.

And in pursuance of the above submission, We the said
and the above-named Arbitrators, do hereby
nominate and appoint

[Name, residence, and description of Umpire.]

to be Umpire herein in case of difference between us.

Signed, _____

Signed, _____

Signed, _____

Signed, _____

[To be signed by the Landlord or his Agent, and by the Tenant, and by the two Arbitrators.]

COURT FEES.

	£	s.	d.
Every originating notice served after the date of these Rules, and every notice of appeal shall bear an impressed stamp of	0	1	0

RECORD AND JUDICIAL DEPARTMENT.

The following fees shall, after the 23rd December, 1883, be chargeable in the Record Office of the Land Commission for copies of documents authenticated by the seal of the Commission :—

	£	s.	d.
Copies of documents other than those connected with the Judicial Department, per folio of seventy-two words,	0	0	4
Copy of any merging or apportionment order,	0	1	0
Search for any document, and inspection thereof, save as below ; for each hour or part of an hour occupied by the officer making the search,	0	2	0
For a day so occupied,	0	7	6
Searches for merging orders, or apportionment orders, shall be free of charge.			

When applications are made for copies or searches by any public department the fees on which, if paid, would be a charge on the public, the foregoing fees are not to be charged.

The Keeper of Records may, at his discretion, permit inspections to be made without charge, on a certificate that such inspections are for an exclusively literary purpose.

JUDICIAL DEPARTMENT.

[For charges for copies of documents, including affidavits and charge for copies of orders fixing fair rents, see Rules 48 and 79.]

For the attendance of an officer of the Land Commission in any Court with a record or records or other document, the fee of	1	1	0
with his reasonable expenses,			

SOLICITORS' FEES.

1. In all proceedings under the Act the fees specified in the schedule to these Rules annexed, shall be the lawful fees and emoluments for the discharge of the duties therein specified by solicitors. And, subject to the powers by the Act, or hereinafter given to the Court, no other fees or emoluments shall be recoverable for the discharge of such duties, or be allowed in any bill of costs, between party and party, or (in the absence of special agreement) between solicitor and client. They shall be taxable in the Court of the Land Commission by the Registrar, or other officer of the Commission, to whom the duty may be assigned, and in the Civil Bill Court by the Clerk of the Peace, his Deputy, or principal Assistant.

2. The fees specified shall include all outlay except postage, Court fees, fees for service, fees to counsel, and expenses of process servers and witnesses.

3. The Court in all cases shall have power, when a solicitor is specially employed outside the district where he usually practises, or under other special circumstances, to increase the fees allowed to the solicitor for any party beyond the amount specified in the schedule, and this either as between party and party, or as between solicitor and client, or both.

4. Where two or more cases, involving similar questions, and arising with respect to holdings held under the same landlord, are heard at the same place and sittings, and have been consolidated by the Court, the Court shall have power to award to the solicitor or solicitors conducting the same a bulk sum for his costs in respect of all the cases in which he so appears, and, if necessary, to settle the proportions in which the same shall be borne and received respectively.

5. The Court shall have power to give or withhold the costs either in the whole or in part of any proceedings under this Act, and to direct the same or any portion thereof, to be paid by the opposite party and generally to make such orders with reference to the payment of costs as having regard to the circumstances of any case it shall deem meet.

6. The costs on appeal before the Land Commission shall follow the same scale, but subject to be increased by the Court where the appeal is not heard in the same county in which the case was heard below.

7. The schedule of fees hereby settled is intended to be the remuneration for all business done as well before as after the case is opened in Court. If the case be not opened in Court one-half only of the specified fees shall be allowed.

SCHEDULE OF FEES.

SALE OF TENANCIES.

	£	s.	d.
For all proceedings consequent on a tenant's notice of his intention to sell his tenancy where an originating notice is served, from the first originating notice up to and including the payment and distribution of the purchase-money.			
Where the rent of the holding mentioned in the tenant's notice of intention to sell does not exceed £5,	1	0	0
Where such rent exceeds £5 and does not exceed £15,	2	0	0
Where such rent exceeds £15, and is under £50,	3	0	0
Where rent exceeds £50,	5	0	0

The above scale shall likewise apply :

1. In case of sale by an execution creditor, assignee in bankruptcy, personal representative, or other person selling the tenancy :

2. Where the landlord makes application to the Court to sell the tenancy, by reason of the default of the personal representative to nominate a successor to the tenancy or sell.

£ s. d.

Whenever the landlord or tenant makes application to the Court to ascertain the depreciation in the selling value of a tenancy consequent on an increase of rent.

For all proceedings from the originating notice to the final order of the Court.

If the rent stated in the notice of application do not exceed £50,	1	0	0
If it exceed £50,	2	0	0

In case of an application by the landlord for resumption of the holding or part thereof under s. 5 of the Act. For all proceedings from the originating notice to the final order of the Court.

If the rent stated in the originating notice do not exceed £50,	1	0	0
If it exceed £50,	2	0	0

FAIR RENT.

Where application is made to fix a fair rent.

For all proceedings from the originating notice to the final order of the Court.

Where the rent stated in the originating notice do not exceed £5,	0	10	0
Where it exceeds £5 but does not exceed £15,	1	0	0
Where it exceeds £15 but does not exceed £50,	2	0	0
Where it exceeds £50 but does not exceed £100,	3	0	0
Where it exceeds £100,	4	0	0

Where Counsel is employed.

Instructions for counsel's brief, and attending counsel, where rent is over £5 and under £50,	0	6	8
When £50 or over,	0	13	4
Brief of documents for each sheet of six folios,	0	1	0

In cases of agreement fixing the fair rent of holdings.

For all proceedings from the preparation of the agreement and declaration fixing the fair-rent, to the obtaining the certificate of the filing thereof.

If the rent stated in the agreement do not exceed £5,	0	5	0
If it exceeds £5, but do not exceed £15,	0	10	0
If it exceeds £15 but does not exceed £50,	1	0	0
If it exceeds £50,	2	0	0

Judicial Leases and Fixed Tenancies.

To the solicitor preparing a judicial lease, for preparing and furnishing the draft lease, obtaining the approbation thereof by the Court, engrossing the lease and counterpart, and obtaining the execution of same by all necessary parties, and the signing by the County Court Judge, or the Secretary of the Land Commission, and all things incidental to the above matters (except the stamp duty on the lease and counterpart, Court fees, fees to counsel, and postage) :

	£	s.	d.
If the rent, subject to which the lease is made, do not exceed £5,	1	0	0
If it exceed £5 and do not exceed £30,	2	0	0
If it exceed £30,	5	0	0

If a solicitor be employed by the opposite party—to such solicitor for approving of draft lease and attending in Court to consent whenever necessary, half the foregoing fees.

For preparing the agreement to create a fixed tenancy (where the approval of the Court is required) and all subsequent proceedings, up to and including the execution and approval of the grant.

The same fees as in the case of a judicial lease.

PROCEEDINGS UNDER PART IV. OF THE ACT.

£ s. d.

The following shall be the scale of fees where rent stated in Notice of Application exceeds £5, and does not exceed £50 :—When the rent does not exceed £5 the fees shall be one-half, and when the rent exceeds £50 the fees shall be double of the following.

In case of application by a tenant to restrain proceedings under a notice to quit.

To the tenants' solicitor for preparing the affidavit to grant the application, settling the originating notice, and also for the proceedings down to the final order of the Court,

1 0 0
1 0 0

To landlord's solicitor if the application be resisted,

In case of application by tenant to let portion of a holding for the use of labourers.

For all proceedings from the originating notice to the final order of the court.

	£	s.	d.
To the tenant's solicitor,	0	10	0
To the landlord's solicitor if the application be resisted,	0	10	0

In case of an application by the landlord for the resumption of a holding under section 21 of the Act.

For all proceedings from the originating notice to the final order of the court.

To the solicitors of the landlord and tenant respectively.

If the rent stated in the originating notice do not exceed £30,	0	10	0
If it exceed £30,	1	0	0

In the case of an application to have a lease accepted since the 1st August, 1870, declared void.

For all proceedings from the originating notice to the final order of the Land Commission.

To the respective solicitors of the landlord and tenant,	2	0	0
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Counsel's Fees.

Where rent of holding is under £30,	1	1	0
Where rent is £30 or over,	2	2	0
But counsel's fee shall in no case be allowed against the opposite party unless certified for by the court.			
Attending taxation,	0	6	8

Fees for Professional Valuers.

Where rent of holding is under £30,	0	10	6
Where rent is £30 and under £50,	1	1	0
Where rent is £50 and under £100,	2	2	0
Where it exceeds £100, above fees may, if deemed just, be increased at the discretion of the Taxing Officer.			

*Seal of the
Irish Land
Commission.*

JOHN O'HAGAN.

E. F. LITTON.

JOHN E. VERNON.

MONCK.

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